REORGANIZATION OF THE U.S. FIRE ADMINISTRATION

HEARING

BEFORE THE

COMMITTEE ON GOVERNMENTAL AFFAIRS UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

SECOND SESSION

APRIL 21, 1982

Printed for the use of the Committee on Governmental Affairs

U.S. GOVERNMENT PRINTING OFFICE
13-547 O WASHINGTON : 1983

S401-27

COMMITTEE ON GOVERNMENTAL AFFAIRS

WILLIAM V. ROTH, Jr., Delaware, *Chairman*

CHARLES H. PERCY, Illinois
TED STEVENS, Alaska
CHARLES McC. MATHIAS, Jr., Maryland
JOHN C. DANFORTH, Missouri
WILLIAM S. COHEN, Maine
DAVID DURENBERGER, Minnesota
MACK MATTINGLY, Georgia
WARREN B. RUDMAN, New Hampshire

THOMAS F. EAGLETON, Missouri
HENRY M. JACKSON, Washington
LAWTON CHILES, Florida
SAM NUNN, Georgia
JOHN GLENN, Ohio
JIM SASSER, Tennessee
DAVID PRYOR, Arkansas
CARL LEVIN, Michigan

Joan M. McEntee, *Staff Director*
Margaret Hecht, *Professional Staff Member*
Ira S. Shapiro, *Minority Staff Director and Chief Counsel*
Terry Jolly, *Chief Clerk*

CONTENTS

Page

Opening statements:
  Senator Roth ... 1
  Senator Pryor ... 3
  Senator Glenn ... 11

WITNESSES

Wednesday, April 21, 1982

Louis O. Giuffrida, Director of the Federal Emergency Management Agency, accompanied by Fred Villella, Associate Director, Training & Education, FEMA, and Charles M. Girard, Associate Director for Resource Management, FEMA ... 4

Edward H. McCormack, Jr., executive director, International Society of Fire Service Instructors; Louis J. Amabili, director, Delaware State Fire School and member of the National Commission on Fire Prevention and Control; E. James Monihan, chairman and Delaware delegate to the National Volunteer Fire Council; John A. Gannon, president, International Association of Fire Fighters (IAFF) AFL–CIO; and E. Stanley Hawkins, president, International Association of Fire Chiefs ... 26

Alphabetical List of Witnesses

Amabili, Louis J.:
  Testimony ... 26
  Prepared statement ... 58
Gannon, John A.:
  Testimony ... 26
  Statement of Harold A. Schaitberger, legislative director, International Association of Fire Fighters, AFL–CIO–CLC ... 77
Girard, Charles M.: Testimony ... 4
Giuffrida, Louis O.:
  Testimony ... 4
  Responses to written questions submitted by Senator Pryor ... 24
Hawkins, E. Stanley:
  Testimony ... 26
  Prepared statement ... 83
McCormack, Edward H., Jr.:
  Testimony ... 26
  Prepared statement with attachments ... 41
Monihan, E. James:
  Testimony ... 26
  Prepared statement ... 73
Villella, Fred:
  Testimony ... 4
  Antiarson initiatives and programs at the National Fire Academy ... 16

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

Letter to David A. Stockman, Director, Office of Management and Budget, from Senator William V. Roth, Jr., May 19, 1982 ... 97
  Response to Letter, June 26, 1982 ... 97
Letter to Senator Roth from Robert W. Grant, president, National Fire Protection Association, April 20, 1982 ... 98

REORGANIZATION OF THE U.S. FIRE ADMINISTRATION

WEDNESDAY, APRIL 21, 1982

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, D.C.

The committee met at 10 a.m., in room 3302, Dirksen Senate Office Building, Hon. William V. Roth, Jr. (chairman of the committee) presiding.

OPENING STATEMENT OF SENATOR ROTH

Chairman ROTH. The committee will be in order.

This morning the Committee on Governmental Affairs will hold hearings on the proposed reorganization of the U.S. Fire Administration.

On February 8, 1982, the President submitted to Congress a budget that recommended that all funding for the Fire Administration be eliminated. If this proposal is approved by the Congress, the Fire Administration will cease to exist on September 31 of this year.

Since Governmental Affairs is the committee responsible for reviewing and making recommendations on any administration proposals to reorganize the Government, we must seriously consider the implications that such a reorganization could have on the capabilities of our Nation's firefighters to protect lives and property from the destruction of fire.

I am strongly committed to insuring a continued Federal role in providing a coordinated fire prevention and control program.

As we consider the possible elimination of the USFA, we must not lose sight of the fact that fires take approximately 6,800 lives each year and injure over 30,000 people. Although it is difficult to measure, the total loss through fire in this country amounts to about $21 billion. Obviously, the tragedies resulting from fire still exist and must be minimized to the fullest extent possible. It is our responsibility to determine the most efficient and effective way to organize Federal programs designed to minimize our Nation's loss through fire.

Firefighting is a local problem that has been and must continue to be dealt with primarily at the local level. I believe in strong State and local governments and have been a supporter of moving the Federal Government out of their affairs. I am delighted that the President has taken such strong measures toward this goal.

However, there are several programs currently supported at FEMA through the Fire Administration that could not be efficiently funded at the local level. Research into new firefighting techniques and equipment, and the compilation of data are efforts needed in each and every community. For each jurisdiction to fund their own collection of statistics and research could prove to be both repetitive and extremely costly. I want to make sure that we are not being penny-wise and pound-foolish. The Fire Administration has requested a little over $8 million which is obviously only a small portion of the more than $5 billion which is being spent on firefighting by local governments.

I must be convinced that such a small amount will not be cut from the Federal budget only to cause either a far greater expense to the localities and their taxpayers or a regression in the tremendous progress that the Fire Administration has made toward saving both lives and property.

Today I plan to ascertain what exactly will become of the programs presently funded through our U.S. Fire Administration. We must carefully question the reasons for this proposal. I intend to get the facts on the record, so that as we in the Congress are faced with the decision as to what should become of the USFA, we can make a decision based on an objective assessment of the most effective way to carry out the programs that are unquestionably essential to each and every citizen of our Nation.

I will make sure that any reorganization that occurs in any department of our Government is both logical and makes at least one step toward a more efficient and effective system.

As we in the Congress and the administration make every effort to streamline the Government, reorganization may well be an effective tool for redirecting Federal funds to the most efficient possible uses. But, a reorganization must not occur as a part of the budget process. It is critical that congressional committees take the time to seriously consider the costs, benefits, and any possible drawbacks of reorganization proposals.

I want to limit Federal spending. I simply want to insure that while cutting back or eliminating one area, there are not unrealistic and more costly demands being placed on either another agency or a State or local government.

To help evaluate this plan to reorganize the Fire Administration, I have asked Gen. Louis O. Giuffrida, the Director of the Federal Emergency Management Agency, to testify today on both the necessity and productivity of the Fire Administration and his plans for the placement of all of its functions. After Mr. Giuffrida's statement, we will hear testimony from several members of the fire service community.

We will include in the record today the statements in their entirety so that if you care to, feel free to summarize.

Before we continue I have a statement from Senator Pryor which I would like inserted into the record at this point.

[The statement referred to follows:]

OPENING STATEMENT OF SENATOR PRYOR

Mr. Chairman, I am very pleased that this hearing is being held since last year's confirmation hearing of General Giuffrida left unanswered many questions about the future of the fire control programs under this administration.

I understand that the Office of Management and Budget has decided to "zero out" the U.S. Fire Administration this year after funding the agency at $8.8 million last year. The Fire Academy is to be retained under the Federal Emergency Management Administration, however. It is up to the Congress to decide if the elimination of USFA represents merely a shift of responsibilities from the Federal level or whether it might represent the possiblity of a rise in the incidence of fires, the number of deaths and the loss of property.

While we all recognize the need to cut the Federal budget, the fire control effort is too important and the dangers of fire control effort is too important and the dangers of fire too great for us to approve such a drastic change in the national fire control program without the closest scrutiny.

When the National Commission on Fire Prevention and Control began its study that led to the report America Burning, it took the best available statistics and estimated that in 1973 fire in the United States resulted in 9,000 deaths, 300,000 injuries (probably too high a figure), and $11 billion in direct financial loss. USFA figures indicate that in 1980 there were 7,600 deaths, 28,100 injuries and $5.9 billion in direct financial loss.

By all reckoning, the improvement of our fire prevention record has been very impressive since the creation of the USFA. I don't know how much credit USFA can take for this improvement or whether the work of USFA can be considered to be no longer necessary in view of its successes. But I suspect that we need to sustain a constant effort in this area, and I believe that this Administration may be reducing the federal effort below an acceptable level. The United States still leads the industrial world in deaths from fire; and, as I said before, the stakes are too high to act without the most careful consideration.

My guide on Fire Administration issues has been the experience of Operation Dixieland, an experimental program located in my state of Arkansas. The program was begun two years ago after statistics indicated that the Southeastern United States had the highest fire death rate in the country and that the greatest fire damage occurs in rural areas. Arkansas was chosen as a model for the rest of the nation since the state had a strong commitment to fire protection and was eager for a federal partnership. Several USFA programs were instituted in the state, and the state matched federal funding. The program has been a great success, but, unfortunately, because of state budget restrictions, the program has been underfunded in recent months and has had to cut down on physical training and other activities. Firefighters in Arkansas are concerned over the effects of these budget cuts as well as the fate of several major USFA programs:

Data collection.—The director of the fire data center in Camden, Arkansas, has expressed to me his concern over the need to move from phase I of this program into phase II with a strong national focus through the National Data Center. The data collection function of USFA now takes up roughly half of the USFA budget, but apparently no provision has been made for this activity within FEMA in the future.

Before abandoning this program we need to know if the data collected by private groups are reliable enough to take the place of the Data Center information. We must also consider the cost to users and how privately collected information might be disseminated.

Research and development.—There is a clear need for research and development on protective clothing, better equipment and the effects and treatment of exposure to toxic substances. According to today's testimony, there is only one employee at USFA who directs the program for firefighters' health, safety and technology.

I am pleased that the work of the Fire Research Center at the National Bureau of Standards will be continued, but those activities deal mainly with the demographics of fire and not with firefighting techniques. FEMA apparently has not made a commitment to research within the Fire Academy, and, again, we need to stop and ask ourselves what other public or private organizations might reasonably be expected to fill the gap left by the Federal Government.

Regional representatives.—Another matter which has been brought to my attention is the fate of regional representatives of the Fire Administration. I have heard the highest praise for the efforts of the representative in Region 6, which includes Arkansas, in coordinating a variety of fire control activities.

Public education.—In Arkansas the fire education program includes four resource centers which rotate among the communities of the state with films and other displays presented by part-time instructors. To date these centers have been supported wholly by Federal money matched by Arkansas labor, and without continued Federal funding the state will not be able to continue this program. While the Fire Academy may include a course of instruction in public education, there apparently will be no Federal assistance for direct contact with the public.

Other questions remain. How are the states to coordinate their activities and share information and experiences without a central clearinghouse? How can state fire agencies avoid duplication of, say, their own research activities and the research of other states and the extra costs and inefficiencies that result from that duplication?

Whether or not the President's "New Federalism" is adopted as a whole, the states today are being asked to absorb responsibility for administering and funding a number of programs previously under Federal control. Leaving aside the philosophical question of federalism, there is a danger that the states simply may not be able to fund some critical programs. It would be a tragedy to risk a drop-off in fire protection, and states with limited resources would face the greatest danger of loss of life and property.

I appreciate the testimony of all of our witnesses and look forward to receiving further information in response to my questions for the record.

TESTIMONY OF LOUIS O. GIUFFRIDA, DIRECTOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ACCOMPANIED BY FRED VILLELLA, ASSOCIATE DIRECTOR, TRAINING AND EDUCATION, FEMA, AND CHARLES M. GIRARD, ASSOCIATE DIRECTOR FOR RESOURCE MANAGEMENT, FEMA

Mr. **Giuffrida**. Thank you, Mr. Chairman.

I have with me Mr. Fred Villella, Associate Director for Training and Education of the Federal Emergency Management Agency and a member of the FEMA staff under whose direction we operate the National Emergency Training Center at Emmittsburg, Md., which includes the National Fire Academy.

With your approval, sir, I have a short statement I would like to read and then we are prepared to answer whatever questions you may have.

Mr. Chairman, as you know, I am pleased to appear before you with Mr. Villella today to discuss our plans for carrying out FEMA's fire prevention and control responsibilities. FEMA is committed to the important purposes of the Federal Fire Prevention and Control Act and will continue to serve as the Federal focal point. The National Fire Academy (NFA) will continue to exercise this key responsibility, and the training and education programs of this institution will be continued in fiscal year 1983.

Since the establishment of the Academy, many aspects of the Fire Administration programs that relate to performance at the local level have been translated into courses that enhance the professional development of the fire services. In 1982 over 5,000 personnel will be trained at the residential site, and over 10,000 will be trained through the field programs at the community and State levels.

This represents a quantum increase over previous years and is responsive to the demands generated by the fire service community, and allied services. These efforts demonstrate the administration's commitment to deliver effective transfer of knowledge and skills in those areas that have proven to be effective for the fire service in reducing the loss of life and property.

A significant part of this effort was made possible by the early Fire Administration's programs, with participation by the private sector and fire service professionals. This also included funding and program support from other Federal agencies to include Department of Transportation and Department of Justice (LEAA).

The National Fire Academy has become a major program element in this administration's commitment to work with State and local governments to address the national fire problem. Where appropriate, information and research already produced has been included in NFA course material. The Academy will continue to emphasize public fire awareness education, establishment of cost effective fire protection and emergency management programs, firefighter health and safety, and community-based arson task force and specialized arson skills training. These initiatives will be accomplished in concert with State and local fire entities.

The fire services throughout this Nation are aware of the nature of the challenge and have made significant strides toward combating America's common enemy—fire. The many firefighters who were responsible for this national effort can be justly proud, and we seek to take full advantage of their achievements. For example, we now recognize that solutions to the arson problem can be addressed by the introduction of low cost computer support. The Academy will provide the necessary educational support to assure maximum utilization of computer technology at the local level to address this fire problem.

We plan to have a computer course, functioning before the close of this fiscal year, for senior fire service managers. This effort among others requires comprehensive and coordinated application of tight resources from the Federal Emergency Management Agency.

The National Fire Academy through the National Emergency Training Center is also expanding the opportunities for participation by fire service leaders with the emergency management training programs. Fire service leaders will continue to be involved in assisting in the development of curricula for programs that will effect policy level decisions, as well as participate in seminars and other training opportunities with other key public officials.

Additionally, an extensive outreach program designed to supplement and strengthen fire service training at the local level is underway. This program, referred to as "Train-the-trainer" is a series of educational workshops designed for fire service instructors. The focus of this instructional experience is on course design, educational objectives, and delivery methodology. "Train-the-trainer" is a shared cost program with maximum leverage of Federal program funds to strengthen fire training delivery systems at the State and local level. Through this initiative, literally thousands of firefighters will be reached.

Maintaining the program efforts and increasing the quality of training within the National Fire Academy are being accomplished in spite of the 12 percent Federal funding reduction in the overall Federal budget for fiscal year 1982. This accomplishment is directly attributable to the recently established FEMA management efforts under the National Emergency Training Center concept. The concept has provided better resource utilization integration within the overall FEMA areas of responsibility and emphasis as directed by the President and Congress.

In June of 1981, I announced a new national effort to double the programs delivered in the field that reach the greatest percentage of volunteers. We have met the goal for the first 6 months of this fiscal year, and are continuing to expand our educational services to the volunteers across this Nation.

In order to enhance the representation and participation of the volunteer fire service community in the direction of the educational mandate of this agency, I have appointed the chairman of the National Volunteer Fire Council to participate with the NFA Board of Visitors.

Basic research on fire protection will continue at the National Bureau of Standards Center for Fire Research, funded through the Department of Commerce. In addition, research funded through the Civil Defense Act for fire-related matters will also continue in FEMA.

It is of significance to point out that the fire service's role in FEMA is being included as an important element in the program planning of the various organizational units of the agency. The fire services are key members of the emergency management community.

In fulfilling the responsibilities given to FEMA by the Congress, our goal continues to be to integrate and coordinate the entire emergency preparedness spectrum, including the fire service community. The fire services are becoming increasingly involved in emergency management training, national preparedness, and State and local program emphasis as critical members of the communities' emergency management teams.

Mr. Chairman, I am aware of the concerns that have been expressed about our decision not to request funding for fiscal year 1983 for the programs of the U.S. Fire Administration. This decision is in concurrence with the administration's goals. It supports the national mandate to reduce the size and costs of multiple Federal agencies' involvement in State and local programs. Also supporting this decision is the fact that the early programs of the U.S. Fire Administration have been successful in focusing the need for increased capability at the State and local levels to address their fire protection problems. FEMA, through its National Fire Academy, is working closely with State and local officials in a shared-cost educational and training effort to increase the capability at the local level to address the contemporary fire challenge. The Fire Administration programs have included the areas of collection and analysis of fire incident data, public fire education, fire protection resource management, arson prevention and control, and development of private sector involvement in research and development of new products for fire safety.

The accomplishments of the U.S. Fire Administration have set the stage for the transition of many of these programs to the State and local government and the private sector. This fiscal year has been a period of transition at the Federal level. FEMA has strengthened its programmatic linkage with the State and local level and gradually shifted the Federal fire focus to the National Fire Academy.

We are continuing to examine activities within the entire agency where it appears there is an overlapping mission, and a more efficient and economical operation can be effected. The U.S. Fire Administration is a core organization of currently 35 assigned personnel, and I want to assure you that I have taken the necessary action to provide these employees opportunities for assignments to positions within FEMA. I expect to be able to place all who wish to remain with continued employment.

Thank you, Mr. Chairman.

My staff and I will be pleased to answer any questions you or members of the committee may have.

Chairman ROTH. Thank you, Mr. Giuffrida. I do have a number of questions that I would like you to answer.

As you know, the Fire Administration is pretty much a result of the report of the National Commission on Fire Prevention and Control, called America Burning.

One of the key recommendations of that report was the creation of a National Fire Academy.

Let me start out by saying the Commission said that one of the possible remedies that has almost unanimous support within the fire suppression and protection field is the creation of the National Fire Academy.

What most experts envision is an institution that not only has advanced educational programs of its own, but also lends help to State and local training and educational programs.

In addition to conducting classes and seminars at its own facility, the Academy should serve as a hub of an educational network. The Academy would use existing fire training school programs, et cetera. The Academy would function as a core of the Nation's efforts in fire service education, feeding out model programs, curriculums, and information and at the same time receiving help and advice from those schools for the fire services.

I have indicated that the Academy has very broad support, including the International Association of Fire Chiefs, Fire Fighters, National Fire Protection Association, the Committee on Fire Research of the National Research Council, the Joint Council of the National Fire Service, just to mention a few. I won't read the entire thing but I would just like to say that from my observation this National Fire Academy has been an excellent institution that has helped a great deal in the training and education of all people involved in firefighting throughout the country.

I am concerned that gradually we are going to see an erosion or subordination of this Fire Academy as it blends into other emergency management facilities such as those focused on civil defense. I would just like to get your feelings on this.

Let me first give you just one illustration of what I am talking about. I understand that the National Fire Academy is presently at the location that is becoming known as the National Emergency Training Center.

I suppose that names aren't too important but perceptions are important. I must say I look with concern at that change of title. I think it is important that the Fire Academy maintain its identity and its function. I would like to have your comments on that.

Mr. GIUFFRIDA. I would like to respond by telling you that we not only agree with, but enforce all of those things that the Fire Academy is supposed to do. As far as the subordination of the Fire Academy, I suggest it is quite to the contrary.

As I pointed out in my statement, we increased the involvement of the Fire Academy and its training programs.

The Academy is making planning assistance grants to the States for their training plans. We have got them intimately involved in the Board of Visitors in the field programs, of the National Emergency Training Center. I don't agree that the identity of the Fire Academy has been placed in any lower status. The National Emergency Training Center, Mr. Chairman, includes the Fire Academy and the Emergency Management Institute. We have carefully made certain that signs specifically identify, verbatim, "National Emergency Training Center, Home of the National Fire Academy and of the Emergency Management Institute."

I think what you are alluding to is a brochure which in previous years, before the advent of the National Emergency Training Center, had on it, "Welcome to the National Fire Academy." Now it says, "Welcome to the National Emergency Training Center, Home of the National Fire Academy and of the Emergency Management Institute."

I guarantee you, Senator, that we share your interest in maintaining and expanding the role of the National Fire Academy as the Federal focal point for fire-related activities. All of the standard training, and all of the enhanced training that is included in my statement, sir, has been put on through the Associate Director for Training and Education, Mr. Villella, at NETC.

Chairman ROTH. I appreciate your assuring me that the identity of the Fire Academy will be maintained. So I would urge that we make certain that not only the functions but also the identity of this Academy be strongly maintained.

You know, I say this because in all candor, whether it is Delaware or somewhere else, whenever there is an emergency, whether natural or man made, the Fire Service is always the very first group to respond. And firefighters risk their lives in these disasters.

Do you agree that the firefighters are a critical element of our country's emergency preparedness community? Shouldn't there continue to be at least one national focal point for their activities in the Federal Government?

Mr. GIUFFRIDA. I answer "yes" to both questions and augment my answers, sir, by saying that there is in fact, and under this plan there will continue to be, a national focus. That will be the National Fire Academy. I am very familiar with the fact that firemen have to accept as a condition of employment exposure to physical danger. I know from my years of working with the entire emergency response spectrum that for every policeman who is injured in the line of duty, for example, 15 firemen are injured in line of duty and we have in fact, as we discussed previously, made a number of plans to insure that we not only continue, but expand the involvement of the fire services nationwide with the rest of the emergency planning and response community.

Chairman **Roth**. I would like to apologize for not welcoming Senator Glenn. We are pleased you could be here. I have sort of broken off on a little side tangent of my own. Do you have any opening remarks?

Senator **Glenn**. I will get in when you finish.

Chairman **Roth**. We have had this one bad example. How many other places is this true? To me, if there is anything that makes Americans lose confidence in government it is when we begin building all of these requirements upon others and then say, "But not me."

Mr. **Giuffrida**. We will contact the Park Service.

Chairman **Roth**. One of our concerns is that the administration in the past has been collecting and coordinating data collection, research, and other functions. We are saying that we can rely upon others to do it, the private sector in particular, yet the Federal Government through its information gathering is collecting tremendous basic information.

Certainly the collection of fire data is critically important. I am not clear on why we are making an exception in this area. We say this information should not be collected by the Federal Government, but we will rely on either local or State governments or preferably even the private sector. If the Federal Government is collecting all of the different kinds of information that they do, I wonder why we are, in this case, suddenly saying that we are not going to collect fire data?

Mr. **Giuffrida**. I will ask Mr. Villella to respond to that.

Mr. **Villella**. Senator, the original purpose for the involvement of the Fire Administration in the national fire incident reporting system was to provide the State and local entities an opportunity to develop a fire reporting system since as you well stated, the resolution of the fire problem, is in fact, a State and local requirement.

The Fire Administration has over these past several years provided a tremendous amount of assistance in the way of grants and technical assistance and assisting sone 41 States in the developnent of a fire reporting system.

In addition to that, the private sector for many years through the National Fire Protection Association has maintained a national fire reporting system.

We feel that the major focus during this transitional period is to provide to the State and local fire and allied services an increased capacity to deal cooperatively in the prevention and in a management style to serve to reduce the incidents and the degree of fire events.

Chairman **Roth**. In your testimony, you have said that much of the work of the Fire Administration would be taken over by the Fire Academy. Would any additional funding be granted to the Academy? If not, do you feel that the Fire Academy has some excess funds so that they will be able to absorb these new programs?

How do you expect to handle this?

Mr. **Giuffrida**. We are just going to have to do better management than we did in the past. We are not asking for any more money. What we have done with the entire agency is look at all of our involvement in every program of the agency and eliminate ev-

Chairman **Roth**. The USFA has helped the firefighters to make tremendous progress toward minimizing the occurrences and horrors of fire. Yet there are still many people suffering from the results of fires which could have been prevented.

Do you think that circumstances have changed drastically since 1972 when the National Commission on Fire Prevention and Control recommended the formation of the USFA? I guess my question is, if this was essential 10 years ago, why not today?

Mr. **Giuffrida**. Sir, I think the intent of the Congress was to insure that there was at the Federal level a focus for fire services and I think that we are maintaining that. I think that every reasonable person understands the enormity of the fire problem. I know of Senator Glenn's interest in arson, and of the legislation that he has introduced in this respect. I know of the difficulty there was, for example, in getting arson classified as a part I crime. What we are interested in, I think, is in complete harmony with the intent of Congress, in raising skills at the local level in the most effective way. That is the way the programs have been directed.

We have not in any way suggested that there not be a Federal focus. We are simply saying that that will be done at the National Fire Academy, which is an appropriate place to maintain it.

Chairman **Roth**. I want to ask a somewhat unrelated question. There was recently a tragic fire at Wolf Trap, and Wolf Trap was not equipped with sprinkler systems. Apparently Federal buildings are not subjected to local rules and regulations.

I gather that there are no Federal requirements regarding fire prevention. Have you ever had a chance to look at this problem? The Federal Government is very good at telling everybody else what to do but then exempting themselves from those requirements.

It is my understanding that Wolf Trap also had at least one fire during the construction. To me it is unbelievable that a major Federal building or center of this type took no preventative measures. Who has the responsibility? Do you know?

Mr. **Giuffrida**. In that area, I know it isn't FEMA that has the responsibility to insure that the codes are enforced and applied at the Federal level. Much of the work on sprinklers was done, as you know, sir, by the industry. There are new codes and alarm classes that are being studied now. Also FEMA has had a part in the sprinkler program.

Chairman **Roth**. I think it is a serious matter. Here we have had a major cultural center burn down. Not only are Federal buildings endangered, so are local community buildings that are alongside.

Who has the responsibility for this? If we have exempted these buildings from State and local controls, when there is a Federal building, who has that responsibility? I am not being critical of you. Don't misunderstand. But I think this is a serious problem and there ought to be some answer. I would appreciate it if you would let this committee know if you have any information on this problem.

Mr. **Giuffrida**. That would be the Park Service. We will follow that through, Senator. To my knowledge, there is no Federal code.

Chairman ROTH. I would like to apologize for not welcoming Senator Glenn. We are pleased you could be here. I have sort of broken off on a little side tangent of my own. Do you have any opening remarks?

Senator GLENN. I will get in when you finish.

Chairman ROTH. We have had this one bad example. How many other places is this true? To me, if there is anything that makes Americans lose confidence in government it is when we begin building all of these requirements upon others and then say, "But not me."

Mr. GIUFFRIDA. We will contact the Park Service.

Chairman ROTH. One of our concerns is that the administration in the past has been collecting and coordinating data collection, research, and other functions. We are saying that we can rely upon others to do it, the private sector in particular, yet the Federal Government through its information gathering is collecting tremendous basic information.

Certainly the collection of fire data is critically important. I am not clear on why we are making an exception in this area. We say this information should not be collected by the Federal Government, but we will rely on either local or State governments or preferably even the private sector. If the Federal Government is collecting all of the different kinds of information that they do, I wonder why we are, in this case, suddenly saying that we are not going to collect fire data?

Mr. GIUFFRIDA. I will ask Mr. Villella to respond to that.

Mr. VILLELLA. Senator, the original purpose for the involvement of the Fire Administration in the national fire incident reporting system was to provide the State and local entities an opportunity to develop a fire reporting system since as you well stated, the resolution of the fire problem, is in fact, a State and local requirement.

The Fire Administration has over these past several years provided a tremendous amount of assistance in the way of grants and technical assistance and assisting sone 41 States in the developnent of a fire reporting system.

In addition to that, the private sector for many years through the National Fire Protection Association has maintained a national fire reporting system.

We feel that the major focus during this transitional period is to provide to the State and local fire and allied services an increased capacity to deal cooperatively in the prevention and in a management style to serve to reduce the incidents and the degree of fire events.

Chairman ROTH. In your testimony, you have said that much of the work of the Fire Administration would be taken over by the Fire Academy. Would any additional funding be granted to the Academy? If not, do you feel that the Fire Academy has some excess funds so that they will be able to absorb these new programs?

How do you expect to handle this?

Mr. GIUFFRIDA. We are just going to have to do better management than we did in the past. We are not asking for any more money. What we have done with the entire agency is look at all of our involvement in every program of the agency and eliminate everything we could that fell into a "nice to have" category and then make a strict priority list on those we identified as "need to have."

We are, of course, as I mentioned also, sir, putting a lot of emphasis on "training the trainers."

Chairman ROTH. As you may recall, in your confirmation hearing you did say that you planned to carry out the programs and intent of the Federal Fire Prevention Control Act of 1974. Apparently you feel that it will be possible to continue this mandate with the elimination of the Fire Administration.

I would like to just go through some of the programs and ask you how these functions will be handled.

Let me list them: Public education; residential detection and supervision systems; fire safety and health programs; enforcement of fire codes and improved fire prevention techniques; arson prevention and control; fire service resource management; the fire data center.

What will happen to these programs?

Mr. VILLELLA. Yes, Senator. Most of those programs will be enhanced through the training delivery programs from the National Fire Academy with a couple of exceptions. We will, for example, include an expanded effort in the arson program which is described in the statement.

The public awareness education program will be expanded to include delivery at the local levels through an expanded field program system. We have at the National Fire Academy just completed the National Fire Academy sprinkler laboratory where those students who attend the National Fire Academy which will now be approximately 5,000 per year can use those residential sprinkler labs for the advancement of their own knowledge for adoption at the local level.

We understand and acknowledge full well the value of sprinklers in reducing the loss of lives and property. The fire protection management programs will continue through the management training programs at the National Fire Academy.

The fire data system that you mentioned, Senator, will not be continued. We would hope that the private sector would pick that responsibility up as it has been maintaining that responsibility over all of these years.

We do offer, however, both for delivery at the residential site at Emmitsburg and as well out in the field, a fire data reporting system, training course.

There has not been a great demand for it. Perhaps in the coming year, with not funding the fire data system there will be a greater demand in the field for the delivery of that course. But we have that course prepared ready for delivery to the State and local entities.

Did I miss one?

Chairman ROTH. No. I think you covered all of them.

At this time I would call upon my colleague, Senator Glenn.

OPENING STATEMENT OF SENATOR GLENN

Senator GLENN. Thank you, Mr. Chairman.

I want to thank you for your leadership and interest in this subject. Having worked together on this committee, I know personally of your longstanding interest. I hope that we can get some of the legislation that is pending before this committee passed this year.

It is going to be a very busy year, but I hope we can do that. I am very deeply concerned about the administration's proposal to eliminate the Fire Administration.

The agency was created in an effort to reduce the country's fire death toll and devastating losses to property. In spite of its very meager arson budget, the Fire Administration has been very successful in fulfilling its antiarson role up to now. It has also successfully operated many fire safety programs.

Arson is no petty crime. We have the highest arson rate in the world; it is the fastest growing crime; it has quadrupled in the last 10 years; it represents 25 percent of all fires and 25 percent of your and my home insurance premiums.

Arson kills 1,000 people annually and injures 10,000 more. It annually results in direct property losses of $1.3 billion and indirect losses of up to $15 billion. These are all chilling statistics. I know you are familiar with them. I would ask my opening statement be included in the record in its entirety.

[The prepared statement follows:]

PREPARED STATEMENT OF SENATOR GLENN

I am pleased to have the opportunity to be here this morning to find out more about the Administration's proposal to eliminate the United States Fire Administration. I thank the distinguished Chairman, Senator Roth, for his leadership and interest in this subject.

I also thank Senator Roth for his leadership and interest in our Nation's fastest growing crime. Because of my interest in combating the devastating crime of arson, I have introduced anti-arson legislation in the last three Congresses. Last January, I introduced S. 294, the Anti-Arson Act of 1981. I am hopeful that the bill will pass this year; I look forward to participating in the consideration of the bill in this Committee under the able leadership of Senator Roth.

I am deeply concerned about the Administration's proposal to eliminate the Fire Administration. This Agency was created in an effort to reduce the country's fire death toll and devastating losses to property. Despite a very meager arson budget, the Fire Administration has been very successful in fulfilling its anti-arson role. It has also successfully operated many fire safety programs.

Arson is no petty crime. It is a deadly, billion dollar crime. Arson in the United States:

Represents the highest rate of arson in the world;

Has become this nation's fastest growing crime, quadrupling in the last 10 years and increasing tenfold in dollar losses;

Represents 25 percent of all fires and also 25 percent of your fire insurance premiums;

Kills 1,000 people annually;

Injures as many as 10,000 more;

Causes direct property losses of at least $1.3 billion; and

Results in indirect losses estimated at up to $15 billion.

Because of these chilling statistics and the success of the Fire Administration in helping to reduce the loss of life and property, the subject proposal is unwise and should be resisted by Congress.

Within the next few days, I will introduce a concurrent resolution which will express the sense of the Congress that the Fire Administration should continue its arson research and training mission and assistance to the anti-arson and fire safety efforts of states and localities.

Thank you, Mr. Chairman.

Senator **GLENN**. I want to ask some important questions here. The President has said that arson cannot be allowed to continue to have such a devastating influence on our society. FEMA provides the Federal focus for national antiarson efforts. A recent insurance industry research council report reveals 40 percent of all large fires were due to arson.

You have stated FEMA is dedicated to reducing the hazards in incendiary fires. In view of the elimination of the U.S. Fire Administration from FEMA's fiscal 1983 budget, how do you propose to reduce the results of this country's worst manmade disaster and how do you plan to provide a Federal focus to coordinate a national antiarson strategy to eliminating this disaster?

Mr. GIUFFRIDA. Senator, we are going to do that through the National Fire Academy and I have asked Mr. Villella to prepare some data on how we are addressing it now.

Mr. VILLELLA. Senator, we fully recognize the impact of arson related fires. We are prepared very shortly to announce a total involvement in antiarson training programs. We recognize fully that the solution to the arson problem is a community based solution; one which involves the multidisciplines at the community level.

Senator GLENN. Let me stop you right there, because one of the problems has been that the research is not done at the local level. The training is not done at the local level. They don't have the facilities to do it. That is the reason we were getting into it. It is a national problem, and we are saying you guys in volunteer fire departments are going to do research? You have to be kidding us. It is not going to happen.

Mr. GIUFFRIDA. I think we will answer most of your concerns if he runs through the rest of the program, Senator.

Mr. VILLELLA. We have discovered that one of the things that the local communities need is a means to gather data and analyze data. We will by the end of this fiscal year establish a computer-based laboratory for antiarson information training programs which is a low cost computer that can be applied at the local community level.

We will expand the management level training for arson.

Senator GLENN. Tell me what these computers are going to do? That was another question I was going to have later. You appear to claim that arson can be solved by "the introduction of low cost computer support."

I know they can be used. For example, in the past we have had testimony concerning a symphony road in Boston, where they used statistical models and were able to predict where arson would likely occur. However, I an unaware of any authority to support a claim that we are going to introduce this low cost computer support and accomplish anything substantive.

How is it going to work?

Mr. VILLELLA. The concept of enhancing the skills of the local firefighters, managers, professionals and volunteers is the whole purpose of this new training program we are putting together.

The computer will provide basic skills to the firefighters that we have previously not given them in the training program.

We are going to increase the number of training programs at the residential site of the Fire Academy. We are going to expand the antiarson training programs both in arson detection and arson investigation which will be delivered in the field to the local communities.

I would cite for you an example which occurred in the State of Arkansas under a program of arson detection. The two people who conducted the bulk of that program which reached in the State of Arkansas some 420 people are two of the members of the National Fire Academy staff who are behind the development of this antiarson training program.

Senator GLENN. I don't see it. I live in Potomac. We have a volunteer fire department 2 miles from my house. We put the computer program in. How is that going to protect me?

Mr. VILLELLA. It is going to provide for the fire arson investigator and his staff in conjunction with the prosecutor volumes of information which is at his disposal in difficult to assemble manuals.

It will provide for him the opportunity, be able to address all of this information through a computer processing system. It will do linkages.

Senator GLENN. What information is going to be in the computer that helps him when the gong goes off up there at the volunteer fire station?

Mr. VILLELLA. It will, for example, talk about the trends of arson related fires. It will provide information related to those individuals who have been involved in previous arson related fires. It will take a great amount of data and provide the opportunity to assimulate that data in a short period of time.

Senator GLENN. It will keep names of suspect, etc?

Mr. VILLELLA. Yes.

Mr. GIUFFRIDA. At the time the bell rings and the fireman rolls, Senator, you cannot do an arson investigation while doing a fire suppression.

Senator GLENN. The fire is over now. We think it was arson. Then what happens? This provides the suspects and the patterns in the community?

Mr. GIUFFRIDA. There is the gathering of suspects and identification of the data that previous efforts in arson investigation, and arson prevention have put together. These are the kinds of data that will be put into these computers in the training programs in a relatively inexpensive computer form, that could reasonably be procured at the local level.

Senator GLENN. Has this been tried out anywhere?

Mr. VILLELLA. Yes. It has.

Senator GLENN. Does it really help?

Mr. VILLELLA. It is reported to have helped considerably. It has given arson investigators and the other agencies with whom they have to deal a much better handle on the nature of the problem. In fact, some of those preliminary experimental programs were funded by the Fire Administration.

Senator GLENN. This apparently is going to be a rather major part of your effort here. Do you have any studies that we could have available for the committee to substantiate all of this so that we can benefit also from your analysis of this?

Mr. VILLELLA. Yes. We would be delighted to furnish information.[1]

Senator GLENN. Does the staff have any of those now?

Chairman ROTH. No.

Senator GLENN. Also as far as shifting the Fire Administration's training and education programs to the National Fire Academy, you propose to shift "the Federal fire focus" to the Academy and you propose to continue basic research on fire protection at the National Bureau of Standards.

We have been trending a different direction in our thinking here. We have been trying to consolidate these things so we could get a handle on coordinating all of them. It appears to me what you are doing is fragmenting them even further. How do you respond to that?

Mr. GIUFFRIDA. Most of the money FEMA got in its budget was passthrough money.

Chairman ROTH. Was what?

Mr. GIUFFRIDA. Passthrough money. It went to the National Bureau of Standards for research contract.

Senator GLENN. Can't the entire arson program be better coordinated if it is transferred with FEMA itself rather than being farmed out all over? Instead of trying to coordinate 8 or 9 Government agencies, we are going to now make it 11 or 12 the way it appears to me. Am I wrong?

Mr. VILLELLA. Talking about research, the broad area of research, the Center for Fire Research under the National Bureau of Standards will continue the work it has done in the past. The only thing that will change is their appropriations will come through the Department of Commerce as opposed to the Federal Emergency Management Agency.

The arson-related research which takes place is in a variety of Federal agencies, the Bureau of Alcohol, Tobacco, and Firearms, Department of Justice, and a number of others we hope will be consolidated for training purposes for the fire services at the National Fire Academy. That will be accomplished in this next fiscal year. We are moving toward that.

Senator GLENN. Do they have the facilities to do that?

Mr. VILLELLA. Yes, sir. We have certainly one activity which is the entire arson training program and the other is a learning resource center.

Senator GLENN. As I understand the Academy it is basically a training facility right now and 75 miles away from Washington, where all the other agencies are. But, we have already had a 12-percent reduction in the 1982 budget and now we are going to expand the Academy itself. We are also reducing its funding and expecting it to take on additional duties.

Mr. VILLELLA. Sir, we have not reduced the Fire Academy's budget. In fact, with a little more cost effective management we have retained the National Fire Academy at the same level where it was last year and in fact has been increased. For example, we doubled the number of people trained in the field programs from approximatley 6,000 last year to 10,000 this year.

---

[1] The information referred to may be found in the files of the committee.

We think we will train approximately 1,000 more people at the residential site this year than what we did last year.

Senator GLENN. Doing all of these things with better management, can you give me specifics? During the Carter administration, I got sick of hearing all this baloney about fat, fraud, waste, and abuse as though every Government agency is on the dole. By better management we are going to do away with fat, fraud, waste, and abuse. Nobody is for that.

You are saying better management. Give me some specifics. How many people are you going to fire; whose salaries are you going to reduce, what programs are qoing to be cut back, specifically how are you going to put better management in? I have heard that better management two or three times here just since I came in.

Mr. VILLELLA. We would be delighted to provide all of those details to you for the record but let me say briefly we have consolidated under this National Emergency Training Center concept common services out of two institutions. That is the National Fire Academy, the Emergency Management Institute, which used to be the Civil Defense Staff College in Battle Creek, Mich.

The common services which each of them had provided independently includes such things as transportation. We pick up at the airports approximately 250 people every 2 weeks to attend the programs. The other services were administration, which included personnel, facilities support, and that sort of service. There are a number of positive events that have occurred as a consequence of that consolidated management.

[The information referred to follows:]

ANTI-ARSON INITIATIVES AND PROGRAMS AT THE NATIONAL FIRE ACADEMY

At the National Emergency Training Center, the training of Fire/Arson Investigation and Fire-Arson Detection is done both on campus and in the field by the National Fire Academy. The National Fire Academy is located at Emmitsbury, Maryland, with facilities to accommodate 425 residential students and also has a field delivery system in all 50 states, through the State Fire Training Directors.

The National Fire Academy's Resident Programs Division's Fire/Arson Detection is a one-week course which is designed to identify effective methods of arson detection and is intended for fire officers and senior firefighters. The couruse covers determining the point of origin of a fire, discriminating between accidental and incendiary fire causes, handling operations at the fire scence, collection and preservation of evidence, and recording information for support of subsequent arson investigation. This course is not designed to fill the more advanced needs of the fire investigator.

Fire/Arson Investigation is a three-week course and it provides training for personnel who have primary responsibility for the investigation of fire-related incidents. This in-depth course deals with methods of conducting legal fire investigations to achieve successful prosecution for arson. The course includes classroom instruction and "hands-on" application to acquire knowledge and experience from actual burns, scene examination, and case development. Application of skills acquired will be provided through extensive use of the Arson Fire Scene Laboratory.

In fiscal year 1983, there will be four advanced seminars for the managers or senior investigators of arson squads. Since the Fire-Arson Investigation course started, it has always been in the Five-Year Plan to have advanced training for the arson squad managers. These "advanced concepts" are a result of student inquiries and their desires to be exposed to advanced concepts and new technology for the fire-arson investigator.

The first Arson Seminar is the use of micro-computers. It is a one-week seminar which will bring to the students' attention the use of a micro-computer in their respective departments. This seminar will stress the availability of the micro-computer, the cost/benefit aspect, ease of operation and an actual hands-on workshop. The seminar will be dealing with Arson Investigation Units. Included in the seminar will be a demonstration of data being entered into the computer and the recall of that information for use by the investigator.

The second Arson Seminar to be offered will be the Scientific Technology and Equipment for the Arson Squad. This will be a one-week offering which will bring to the arson squad manager the latest in technology and equipment which can assist in the investigation. Topics of discussion will include the gas chromatograph, cameras and photography, forensic lab uses, sniffers and an arson van and equipment.

At this time, the two remaining seminars are under development for delivery in fiscal year 1983.

The National Fire Academy's Resident Programs Division trained 414 students in Fire-Arson Investigation and 345 students in Fire-Arson Detection during fiscal year 1981. The National Fire Academy's Resident Programs Division will offer Fire-Arson Investigation 19 times for approximately 475 students in fiscal year 1982 and Fire-Arson Detection will be offered 10 times for approximately 250 students in fiscal year 1982.

In the National Fire Academy's Field Programs Division the Fire-Arson Detection course, which is a two-day course, provides student training in identification of probable arson fires, determination of the point or origin and probable cause, and recognition of other related actions to be taken at the scene of a fire incident. The various legal aspects that deal with the initial stages of a possible arson incident are also examined.

In fiscal year 1981, the Field Programs Division offered the Fire-Arson Detection course 26 times in 22 states for a total of 1,795 students trained. In fiscal year 1982, the Fire-Arson Detection course will be offered 18 times in 14 states for approximately 1,500 students.

Along with the course offering of Fire-Arson Detection in fiscal year 1982, the National Fire Academy's Field Programs Division will offer five train-the-trainer courses to the State Fire Training Directors and the metro cities. Approximately 135 instructors will receive this training at the National Emergency Training Center and be given a complete set of instructional materials. This unique method allows for the training of additional instructors in Fire-Arson Detection which will provide for the states and local cities with qualified Fire-Arson Detection instructors. Through this multiplier effect, 10,125 fire service personnel are expected to be reached.

For fiscal year 1983, the National Fire Academy's Resident Programs Division will offer the Fire-Arson Investigation course 20 times for approximately 500 students. The Fire-Arson Detection course will be offered 4 times for approximately 200 students. The four Arson Seminars that will be offered in fiscal year 1983 will train approximately 140 students.

In the National Fire Academy's Field Programs Division, as of this date, 14 offerings are confirmed in 12 states for approximately 1,400 students. This course offering could increase later this year for arrangements are incomplete at this time.

The United States Fire Administration received a Law Enforcement Assistance Administration (L.E.A.A.) grant in fiscal year 1979 for $550,000 of which the National Fire Academy received $250,000 for three tasks:

(1) Fire/Arson Detection.

(2) Fire/Arson Investigation.

(3) Arson Training for Prosecutors (The total cost for the pilot test was $27,000. The National College of District Attorneys covered $12,000 of this total amount.)

For this agreement the task was to conduct 10 Fire/Arson Detection (3-day) and Fire/Arson Investigation (2-week) courses, one in each of the Federal regions. Approximately 350 participants were to receive the training. The grant/funds allowed for the addition of six more offerings of the Fire/Arson Detection and Fire/Arson Investigation courses throughout the Federal regions.

These six offerings were called the Arson Shield. Under this concept, the United States Fire Administration and the National Fire Academy presented the following six courses which composed the Shield:

(1) Fire/Arson Detection—(3-day).

(2) Fire/Arson Investigation—(2-week).

(3) Arson Task Force Assistance Program—(½ day).

(4) Arson Awareness & Public Education Program—(½ day).

(5) Arson Information Management Systems Program—(1 day).

(6) Juvenile Fire Setters Counseling Program—(1 day).

This allowed for the delivery of all arson related programs in an intensive 2-week learning experience designed to better equip a community to deal with an arson problem. The six Arson Shield offerings were delivered to 715 students in six states.

In addition to the Fire/Arson Detection training, 3,000 student workbooks are to be distributed to State Fire Training Directors to encourage dissemination of the course at the local level. The National Fire Academy also provided the Fire/Arson Detection Instructor's Manual and slides to assist the states in the training of firefighters to detect fire causes.

Senator GLENN. By this consolidation of better management do you feel you can more than make up the 12-percent budget reduction with the combining of the facilities at the Academy?

Mr. GIUFFRIDA. I would like to respond. First of all I share your antipathy that everybody who works for the Government is a freeloader. I would invite anybody who continues to perpetuate that to come to my office and see my agency's people who are there almost at nautical dawn and don't leave until late at night. I agree also that better management can become a blanket under which you hide all kinds of vague perceptions of how to make things run better. We are trying to describe an honest and continuing effort to take competent and dedicated people and eliminate from their daily requirements those tasks which don't fall into an absolute "need to have" category, then work those people harder in order to accomplish what we agree upon as priority programs.

Senator GLENN. Have you settled yet, then, on what areas you are going to concentrate on? That will indicate you concentrate in some areas, cut out others that are being done up to now. What are you going to cut?

Mr. GIUFFRIDA. We are trying to examine all of the training delivered, to limit it to only that which is considered to be essential at the State and local level and which otherwise would not be available. That is a continuing process. That is not a one-time shot. We are doing that all the time. On the Fire Administration, for example, in arson, the Fire Administration never had any responsibility for the coordination of arson at the local level. The whole spectrum of fire and its enormous impact on the national community is what we are scrutinizing all the time. I don't have a set catalog or index of items that is a one-time item.

Also as you know, Senator Glenn, there is the Federal Arson Task Force that includes a variety of Federal agencies. FEMA has representation on that also, that includes one from the Fire Academy, and one from the Fire Administration.

Senator GLENN. Is your proposal to zero fund the Fire Administration based on your contention that, "It supports the national mandate to reduce the size and cost of multiple Federal agencies' involvement in State and local programs"?

Mr. GIUFFRIDA. Without losing sight of the fact that there needs to be at the Federal level a focus for fire services and with the conviction that that Federal focus can be provided at the National Fire Academy to meet most of the requirements that we have been able to identify up to now.

Senator GLENN. In efforts to reduce the size and cost of these multiple Federal agencies' involvement in these programs, can you tell us what multiple Federal agencies are involved in State and local arson programs? Do you have a list of those?

Mr. VILLELLA. Yes, sir. I don't have the full list with me. As I have mentioned the Bureau of Alcohol, Tobacco and Firearms is involved, the Department of Justice is involved.

Senator **Glenn**. Those are all being cut, too, aren't they?

Mr. **Villella**. I understand there are some proposals to do that. I don't know where that stands.

Senator **Glenn**. They are cutting the budget too, I think.

Mr. **Giuffrida**. I think so. I can't answer definitively.

Senator **Glenn**. In other words we don't have with us this morning a list of the Federal agencies' involved in arson. Is that right?

Mr. **Giuffrida**. That is right. We will provide it, Senator.

[The information follows:]

The following is a list of Federal agencies currently participating in the Federal Arson Task Force:

ACTION.
Bureau of Alcohol, Tobacco and Firearms.
Bureau of Census.
Department of Agriculture/U.S. Forest Service.
Department of Health and Human Services.
Department of Housing and Urban Development.
Department of Justice.
Federal Bureau of Investigations.
Federal Emergency Management Agency.
General Services Administration.
Internal Revenue Service.
National Bureau of Standards/Center for Fire Research.
National Bureau of Standards.
U.S. Postal Inspection Service.

PARTICIPANTS OF THE FEDERAL ARSON TASK FORCE

- ACTION:
  - Philip McLaurin, Director, Uniform Crime Prevention Programs.
- Bureau of Alcohol, Tobacco and Firearms:
  - Richard L. Garner, Arson Project Manager.
  - Philip L. Wineman, Ph.D., Forensic Chemist.
- Bureau of Census:
  - Adolfo L. Paez, Chief of Victimizations Studies Branch.
- Department of Agriculture/U.S. Forest Service:
  - Al Audrey, Employee Development Specialist.
- Department of Health and Human Services:
  - James A. Johnson, Safety Engineer for the Office of Safety and Occupational Health, OFE.
  - Mayer D. Zimmerman, Program Analyst, Fire Safety.
- Department of Housing and Urban Development:
  - Howard Kaplan, Anti-Crime Coordinator.
- Department of Justice:
  - Terry Donahue, Juvenile Justice Specialist.
  - Jeffrey I. Fogel, Special Counsel, Office of Law Enforcement Coordination.
  - Michael J. Sheehan, Jr., Director of the Arson Unit.
  - Stephen M. Weglian, Attorney, General Litigation and Legal Advice Section.
- Federal Bureau of Investigation:
  - Special Agent Robert Siller, Bureau Supervisor, Arson Program.
  - Special Agent Robert Wertman, Chief of Special Programs Unit Uniform Crime Report.
- Federal Emergency Management Agency:
  - William P. Curtis, Insurance Examiner, Casualty Fire Insurance Administration.
  - Richard T. Johnson, Supervisory of Training, National Emergency Training Center.
  - John Lynch, Manager, Arson Assistance Program, U.S. Fire Administration.
  - Richard Strother, Assistant Administrator, U.S. Fire Administration.
  - Herman M. Weisman, Chief, Arson Programs, U.S. Fire Administration.
- General Services Administration:
  - Henry Potter, Fire Prevention Engineer.
- Internal Revenue Service:
  - Joseph Hinton, Senior Coordinator of Criminal Investigations.
- National Bureau of Standards/Center for Fire Research:
  - Robert Levine, Ph. D., Chief of Fire Research Resources Division.

Sanford Davis, Head, Fire Test Methods Research Group.
Paul H. Krupenie, Physicist, Law Enforcement Standard Laboratory.
U.S. Postal Inspection Service:
Duane York, Postal Inspector.

Senator **Glenn**. I was going to ask what agencies in this list would be reduced in size by your proposal? FEMA would not be reduced in size. Is that correct?

Mr. **Villella**. That is correct.

Mr. **Giuffrida**. FEMA took the cut that the rest of the Government took earlier on.

Senator **Glenn**. The Fire Administration up to now has been part of FEMA. Can you tell us what costs you have saved so far?

Mr. **Giuffrida**. So far we have no savings as we still have the Fire Administration, Senator.

Senator **Glenn**. It has not been cut back yet except for the 12-percent budget cut for 1982, is that right?

Mr. **Giuffrida**. That is essentially correct, 35 people remain.

Senator **Glenn**. I am very concerned about this whole area of cutting back in the area that we have just gotten awareness going—we just got it started—we got some legislation in and when we are talking about the comparatively small costs that we have here, I am also concerned about this cost of human lives and property destruction. I just feel we are headed in the wrong direction with this.

Do you feel the Fire Administration has been successful in combating arson in their efforts so far?

Mr. **Giuffrida**. I think the Fire Administration has contributed in addressing the problem. I also feel that we can continue to address it, because we share your concern through the National Fire Academy.

Senator **Glenn**. If they have been successful why are they being eliminated? If it ain't broke, why fix it?

Mr. **Villella**. Senator, if I may, we certainly share your concern about the arson problem. We absolutely share your concern. We are trying to do those kinds of things we feel will be the most cost-effective utilization of limited Federal dollars. The example I cited earlier about our concern seems to me to be a good example of the most cost-effective use of skill training. That program was advertised by the U.S. Fire Administration, responsive to the needs of that particular segment of the country.

The majority of the skill training that was accomplished that put into the hands and into the minds of the individual who must stay in the community and deal with that problem was accomplished through the training program, from the Fire Academy, people from the Fire Academy. I guess the term that we tried to use is operationalizing that which we have learned through all of this research and all of the public affairs involvement and put it into the hands of the firefighter in the street who must deal with the problem.

We feel that is what training does best.

Senator **Glenn**. In the testimony before the Senate Appropriations Subcommittee on HUD and Independent Agencies on April 1 of this year you stated that the Federal assistance provided now by the Fire Administration will be replaced by State and local governments, the private sector, and fire service organizations. That means we are just taking basically those functions of the Fire Administration, we are saying all you local folks, let's go back to the way you were before. I think one of the major difficulties encountered in our Nation's fight against arson is that States and localities are ill-equipped to deal with the problem without Federal assistance. We have found that over and over again. That is the reason some of these programs were put in. What has happened to change this?

Mr. GIUFFRIDA. We are not depriving the locals of Federal assistance. That is what Mr. Villella just listed.

Senator GLENN. Your statement was before the other committee that the Fire Administration functions now would go to the State and local governments, private sector, and fires service organizations.

Mr. VILLELLA. Senator, if I may, I think it would be a disservice for us to imply that the Fire Administration can effectively resolve all of the arson problems that exist in the United States.

Senator GLENN. I agree with you there completely.

Mr. VILLELLA. What the tenor of that statement was that our efforts were going to be to expand the capacity at the State and local level to deal with the State and local problem. That was the intent of that statement. That is the focus of most of the programs that we are engendering through the Federal Emergency Management Agencies training programs, to increase the skills and capacities of the people responsible at the local levels.

Senator GLENN. Are you saying expanding these training functions?

Mr. GIUFFRIDA. The Fire Administration didn't do the training. The Fire Academy does the training.

Senator GLENN. Research and all the other functions the Fire Administration performs. Are you saying that those will be expanded and will be more effective?

Mr. VILLELLA. Only the training portions will be expanded.

Senator GLENN. Who is going to do research that we were just getting underway with, in arson detection, and so on?

Mr. GIUFFRIDA. The National Bureau of Standards. Some of it will be done by NFPA perhaps and others. What research money FEMA had in its budget was in fact passthrough money. The majority of that went to the National Bureau of Standards. FEMA is doing fire-related research in other areas for example, in civil defense but with fires and civil defense-related research. That will continue.

Senator GLENN. FEMA is getting an increase in the 1983 budget?

Mr. GIUFFRIDA. FEMA's total budget is to be increased in 1983. Yes. That is what we requested.

Senator GLENN. The budget request figures for 1983 are $891.9 million in budget authority, $966 million in outlays and 2,412 permanent and full-time positions. Compared with fiscal 1982 estimates, this is an increase of $141.6 million in outlays, and of 207 permanent positions. You still feel there is no room in your budget for the 35-person staff and approximately $8 million budget of the Fire Administration. Is that right?

Mr. **Giuffrida**. Senator, you weren't here when I was making my earlier statement that those 35 people we are absorbing and offering opportunities for employment throughout the rest of FEMA.

Senator **Glenn**. Through what?

Mr. **Giuffrida**. The 35 people in USFA, if I may, I will read that portion of my prepared testimony. The 35 permanently assigned personnel, I want to assure you that we have taken the necessary action to provide these employees opportunities for assignments within FEMA. We expect to place, to be able to place all who wish to remain, with continued employment.

Senator **Glenn**. Is most of that $119.1 million increase your civil defense budget going to nuclear attack preparedness?

Mr. **Giuffrida**. With your concurrence, Mr. Chairman, I have Dr. Girard, Associate Director for Resource Management. May I ask him to step up and answer?

Chairman **Roth**. Yes, please.

Mr. **Girard**. Senator, would you repeat the question, please?

Senator **Glenn**. Sure. There is in FEMA $119.1 million increase, as I understand it, that would go mainly for civil defense pegged mainly to nuclear attack preparedness. Is that correct?

Mr. **Girard**. A great sum of that money will go to the civil defense. I would not suggest specifically at nuclear attack efforts. It is for the entire civil defense perspective. Additional moneys that will be involved with FEMA as continuity of government area of responsibility.

Senator **Glenn**. Is it going for nuclear defense preparedness?

Mr. **Girard**. Of the total civil defense packaqe the nuclear element is only one of the elements. Within the context of the civil defense package is the question of relocation, along with many other things as well. Those moneys will also be utilized to upgrade our capabilities in the continuity of government area.

Mr. **Giuffrida**. In that context——

Senator **Glenn**. Continuity of government area. What do you mean by that? This is making foxholes for government officials?

Mr. **Giuffrida**. No, sir, that is a very highly classified subject that we can't discuss in an open hearing.

Senator **Glenn**. OK.

Mr. **Giuffrida**. But within civil defense is a continuing fire service involvement in research, Senator. This relates to that $119 million that you are talking about and that I mentioned earlier in my testimony.

Senator **Glenn**. Is this proposal to eliminate the Fire Administration consistent with the requirements of law right now? The reason I ask this is the amendments to the Federal Fire Prevention Control Act of 1974, Public Law 94-422 of 1978, mandated that arson research and training and assistance to Federal agencies, States, and local jurisdictions be provided by the Fire Administration.

Mr. **Giuffrida**. We are not eliminating the Fire Administration, Senator. We are simply not requesting funding for it.

Senator **Glenn**. You have to be kidding. [Laughter.]

Mr. **Giuffrida**. We don't have the authority to eliminate it, Senator. That remains in the Congress.

Chairman ROTH. That is one of the concerns of this committee. We feel, here in Governmental Affairs, that any reorganization should be approved by this committee and then by the Congress itself. That is one of our serious concerns. We must not use the budgetary device as a means of avoiding the reorganization requirements.

Senator GLENN. This is where we all laughed when that came up and I laughed along with everyone else. It is not a laughing matter. We don't operate as a dictatorship in this country. We operate as equal partners in this Government and the laws that Congress passes pursuant to being elected by the people of this country are the laws that the executive branch of Government is supposed to execute and carry out.

When we zero fund very deliberately part of the functions of Government we are thwarting the will of the people as expressed through this Congress. So it is not a laughing matter.

Mr. GIUFFRIDA. I wasn't attempting to be flippant.

Senator GLENN. Zero funding is just preposterous. To say we are going to zero fund but still carry out the intent of the law, doesn't make sense. You know that.

Mr. GIUFFRIDA. No; I don't agree with you that we are not going to fulfill the requirement for Federal focus on fire. The arrangements that we have presented to be carried out at the National Fire Academy will fulfill that function.

Senator GLENN. I think perhaps we had better go back and reread that law and see whether the administration is really in violation of the law as passed here in the Conqress as signed by previous Presidents.

I have no other questions. Thank you Mr. Chairman.

I went over. We normally shift back and forth. I appreciate your forbearance here. It has been very illuminating for me. I obviously do not favor the action being taken. We worked in the other direction—to try to coordinate these activities better. I have bills in to do that now. I am hoping we can pass those. I am hopinq if we do pass them here they will be signed, although I doubt that they would. But if they are, I would hope that they would not be zero funded which would thwart Congress will.

I think we are trending the wrong direction here when we see this kind of activity. I just disagree. Arson is an expanding crime, the fastest growing crime in the country. I think we need a closer coordination of Federal antiarson activities, which is what we have tried to accomplish over the past 5 or 6 years here in Congress. I think we are going in the wrong direction with what you are attempting to do.

Mr. GIUFFRIDA. It is not the intent of the administration or the Federal Emergency Management Agency ever to thwart the intent of Congress. I understand and have been involved for a long time also in the arson problem. If the concern stems from the fact that the Fire Administration was very deeply involved in the arson problem, I would suggest that the Fire Administration's research on arson was limited to the data collection. We are addressing that subject as Mr. Villella pointed out.

I just wanted to emphasize to Senator Glenn that the concern that he has demonstrated over the years is one that we have.

Chairman ROTH. We have a number of additional witnesses. We must proceed.

As you gather there is a great deal of concern, at least on the part of my colleague, Senator Glenn and myself, that these proposals must not ignore the responsibilities set forth in the law.

I am concerned about the avoidance of the reorganization requirements of the Congress through the budgetary device. I am concerned about the increasing seriousness of arson and the role the Federal Government should play in that area.

I have already indicated that I think the Fire Academy has been a very positive step forward and one that needs to be strengthened and not undercut. We must maintain its identity. I am also particularly concerned about research.

Whether you look at fire prevention or civil defense, it seems to me that there ought to be some direction or some input from your organization as to ways and means that we can improve upon both fire prevention as well as measures that should be taken in the event of a disaster, whether it is a fire or some other kind of civil disaster.

I am not persuaded that we can just leave that to others. We are trying to have some focal point in the Federal Government in that area. On the other hand, I do want to say that I applaud your plans to combine services and so forth. I am sure Senator Glenn does as well. Where we can nake real savings and eliminate unnecessary duplication we should. That is a very sound step forward and good management.

I don't want you to think that we don't support and appreciate what you have accomplished and what you will continue to accomplish. But we do look upon the problem of fires, prevention of fires, and collection of data as a serious matter. I urge you to go back and take a careful look to make sure that we proceed in such a manner that we will continue on a course of fire prevention and focus on that in your agency.

Thank you, gentlemen, and we appreciate your being here with us today.

[Responses to written questions submitted by Senator Pryor follow:]

RESPONSES TO WRITTEN QUESTIONS SUBMITTED BY SENATOR PRYOR

Question 1. What other Federal agencies contribute to national fire prevention/fire fighting programs? Are the funding levels for these programs due to be cut under the President's budget proposal? Please compare fiscal years 1981, 1982 and proposed 1983 levels.

Answer. Excluding the many Federal agencies that provide fire protection for various facilities they manage, Federal fire prevention and control activities are found within the Departments of Defense, Agriculture, Commerce, Energy, Justice, Housing and Urban Development, Interior, Transportation, and Health and Human Services. Other fire related programs are found in NASA, Bureau of Alcohol, Tobacco and Firearms, General Services Administration, Internal Revenue, the Consumer Product Safety Commission and the U.S. Postal Service. The National Commission for Fire Prevention and Control estimated in 1975 that over $27 million in federal funding was expended annually in fire research. We are not sufficiently informed as to the current level of funding available government-wide, but are aware of several reductions in specific programs. For example, LEAA within the Department of Justice in 1980 allocated $9 million to arson prevention that was eliminated in 1982. Other Federal agencies such as Health and Human Services, Transportation, and the Consumer Product Safety Commission have reduced their emphasis on fire related programs during 1982 and 1983.

Question 2. In the absence of a Federal program, what public or private organization might be expected to carry on research into protective clothing for firefighters, improved equipment and the effects of exposure to toxic materials?

Answer. The U.S. Fire Administration research programs were conducted in partnership with public and private sectors. The Federal contribution provided the initiative for product development and improvement. In the protective clothing project, joint funding with NASA was provided. It now seems appropriate for the protective clothing industry to commercialize the results of the protective clothing project. Significant breakthroughs were developed in the residential sprinkler program, and the technology is now available for marketing. Research in exposure to toxic materials in the fire environment will be encouraged in the private sector at symposiums on health hazards sponsored by the International Association of Firefighters. Some basic research related to toxicity of the products of combustion may be continued at the Center for Fire Research at the National Bureau of Standards; funds for the program are no longer budgeted by FEMA.

Question 3. What fire prevention programs—in USFA or other federal agencies are aimed specifically at the special problems of rural areas, where the death rate from fire is nearly twice the rate of urban areas? Will these programs be affected by proposed budget cuts?

Answer. The National Fire Academy will continue to offer courses, both at the resident facility in Emmitsburg, Maryland, and in an extensive "in the field" course delivery program that addresses the problems faced by rural fire departments. These departments are staffed primarily by volunteer firefighters. In addition, there are new courses scheduled for development that are designed specifically for rural fire protection programs. The USFA has developed numerous programs and materials to assist rural communities fire and emergency response planning, public education program development and arson prevention and control and has provided onsite technical assistance in their implementation locally. Efforts are underway for the development of a National Council for Fire Prevention whose program will be specifically targeted to the residential fire problem supported by volunteer fire prevention/public education specialists. Private sector funds are being sought to continue this effort.

The Department of Agriculture has significant programs related to the rural fire problem as a result of the Rural Development Act of 1972 that recognizes that fire protection in rural areas is a significant problem. Other programs in that Department provide assistance to rural communities in the acquisition and conversion of surplus equipment to local firefighting needs. Limited funding was available for development of rural fire station development.

It is expected that these, and other programs, will be affected by the proposed budget cuts, although we are not informed about the status of the Department of Agriculture current budget requests.

Question 4. What are FEMA's immediate plans for USFA's regional representatives?

Answer. The FEMA regional fire representative positions were recently reviewed by a classification audit and determined to be classified at too high a grade level. The current incumbents of these positions, in order for them to retain their current grade levels, are being reassigned to positions within the FEMA regional office structure, if it is the desire of the incumbents, to perform duties of a more comprehensive emergency management nature, including some activities that are still fire related. There is no current effort to replace the fire representatives with personnel at lower grade levels.

Question 5. Without the "clearinghouse" function of the USFA, how are the State fire control agencies to coordinate their activities and share information and experiences?

Answer. We believe that the current effort in the "clearinghouse" function can be carried out at the National Emergency Training Center, through the National Fire Academy.

Chairman ROTH. We have a number of other witnesses whom I am pleased to call forward. Ed McCormack, Executive Director of the International Society of Fire Service Instructors; and I am particularly pleased to call forward two of my friends and constituents from Delaware, Louis Amabili, director of the Delaware State Fire

School and member of the National Commission on Fire Prevention and Control.

I might add that we have one of the best State fire schools in the country. We are one of the smaller States. I am also pleased to call forward James Monihan, who is chairman and Delaware delegate to the National Volunteer Fire Council.

We also have John Gannon, who is President of the International Association of Fire Fighters, AFL-CIO-CLC; and finally, E. Stanley Hawkins, President of the International Association of Fire Chiefs.

Gentlemen, please take your seats. I thought what we would do, with your concurrence and that of Senator Glenn, is ask for each of you to make your statement. Then we will open it up to the questions of the panel.

Why don't we continue in the order in which I called you forward, Mr. McCormack.

TESTIMONY OF EDWARD H. McCORMACK, JR., EXECUTIVE DIRECTOR, INTERNATIONAL SOCIETY OF FIRE SERVICE INSTRUCTORS; LOUIS J. AMABILI, DIRECTOR, DELAWARE STATE FIRE SCHOOL AND MEMBER OF THE NATIONAL COMMISSION ON FIRE PREVENTION AND CONTROL; E. JAMES MONIHAN, CHAIRMAN AND DELAWARE DELEGATE TO THE NATIONAL VOLUNTEER FIRE COUNCIL; JOHN A. GANNON, PRESIDENT, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF) AFL-CIO-CLC; AND E. STANLEY HAWKINS, PRESIDENT, INTERNATIONAL ASSOCIATION OF FIRE CHIEFS

Mr. McCormack. Thank you, Senator.

It is indeed a pleasure to be asked to be here today to testify in support of the U.S. Fire Administration and the National Fire Academy.

I have prepared testimony which I will submit for the record. I will try to summarize the remarks here.

The remarks are pretty much, that we have been handling what you might call a 10-round heavyweight fight for the past 10 years. We can go back to the very beginning with America burning, back in 1968, when Congress passed the Fire Prevention Control Act of 1968, funded one part of it but didn't fund the part dealing with the fire program and we had formed the joint council of national fire organizations, to get Congress to fund it.

They, in fact, did. That was round 1. It also points out that the Joint Council of National Fire Service Organizations was formed back then not recently as was purported in testimony just a couple of months back in the House saying that the joint council could pick up some of the programs of the Fire Administration.

The joint council was never formed to do that, nor does it intend to do that nor does it have the wherewithal to do that.

It is there to try to guard and assist. We could go on with the rounds, through transition, through reorganization, each one of them.

Some we won; we lost some. We lost a little bit at each step. When we went through the reorganization plan, we lost a deputy administrator. We lost a separate line item budget for the Fire Administration. These are serious losses eroding the identity of the total program. Then when we get into FEMA, the program was split. Part of it was put up, reporting directly to the director, which is the Fire Administration and the other to the NETC, which was the National Fire Academy. It was no longer a cohesive program. It was a program where there was a lapse of communication and integrity of programs between them. So as we look at it, we sit here and appeal to you today that in this 10th round, that we be able to get the programs back together and that the Fire Administration be continued.

There are a lot of things that probably the Fire Administration is not doing as well as it could on, there are probably some programs that are unnecessary. But by and large, there are many, many programs that are needed. And the State and local governments do not have the money to pick up these programs.

A good example is data which they talked about just a few moments ago; the zero funding of data. Sure, part of it was a data system within the U.S. Fire Administration but another part of it was grants to States. They have got some 30-odd States up into a data system which need maintenance of money to continue with that data reporting.

Whether the data comes to the Feds or whether it stays in the States, the data is needed. That is one element of it. But the whole thing is an attitudinal problem. We understand that Director Guiffrida has a problem and that he has to conform with the administration's request and he did go to OMB and fight for the survival of the program and was able to retain the Fire Academy but not the Fire Administration.

To us we say that is not acceptable. We fought too long and too hard. We need what we have. What we have is meager when you look at what they are doing, $100 million increase in the Civil Defense, but the Fire Service is the first responder.

The Fire Service is the only nonmilitary organized group that is there to respond first in large forces to cope with whatever type of emergency it is.

When we talk about arson, you know the arson problem? It has been very sensitive for a number of years. As Senator Glenn so well brought out, the erosion of funding from other programs, Justice, LEAA, makes it all the more important that we need the USFA.

We realize Fred Villella at the National Academy has done a good job and has provided more training to more people, for more hours with less funds. That is great. But he is not a magician. He can't all of a sudden take all of these programs that the Fire Administration had, bring them, in fact, into the National Academy and expect to fund them. It looks like, if we let this go through, we are also going to lose one more element and that is the position of administrator which is a Presidential appointment.

I think we have got some problems. I think that the people in FEMA have to sit down and listen to us. I notice after their testimony they are gone. Where are they going to hear our side of it? They may have a representative or two here. But it is equally important that they hear our side of it. They and the President may say we have to reduce a budget. We don't need a Fire Administration. That is great to say. But do they know whether we need it or not? Do they know the programs that are there? Do they know what good the programs of the USFA are doing back home?

I have in closing just to point out, that the authority part of it as was brought up, is the authority there for the National Academy, to pick up the functions of the U.S. Fire Administration? Be it Public Law 93-948 or 94-422, I really wonder if it is there.

The closing statement that I would have, Senator, is that if in fact we cannot be successful in this drive to have the U.S. Fire Administration retained funded with the people and the 10 regional FEMA people assigned directly to fire that we pray on your committee to suit legislation for us to make the USFA a separate agency of Government.

We ask your help to keep America from burning.

Thank you.

Chairman **Roth**. Thank you, Mr. McCormack.

At this time it is my pleasure to call upon Lou Amabili, who is director of the Delaware State Fire School. I happen to think that one of the most important functions of the Federal Government in the area of fire prevention is the Fire Academy. So I am particularly pleased to have you here, Lou, as one of the recognized national authorities.

Please proceed.

Mr. **Amabili**. Thank you, Senator.

After that presentation by Mr. McCormack, it gets difficult and I will in essence of time cut back on my remarks. But as you said, I am director of the Delaware State Fire School and I appear before this committee in that capacity, as well as a concerned former member of the National Commission on Fire Prevention and Control.

I am concerned and disturbed at the flagrant disregard for the American Fire Service and the recommendations of "America Burning," which were supported by the Congress of the United States. I have submitted testimony to the committee. I will make summary comments and would add one other point that I will be making in reference to the Fire Administration and National Fire Prevention Control Administration interchangeably.

On May 4, 1973, the Commission issued the report "America Burning" and probably two major recommendations in that report was, one, that the Congress establish a U.S. Fire Administration to provide a national focus for the Nation's fire problem, and to promote a comprehensive program with adequate funding to reduce life and property loss from fire and the second major recommendation was the establishment of a National Fire Academy to serve as the hub of the national training and education system for the Nation's Fire Service.

On October 29, 1974, President Gerald Ford signed into law the Federal Fire Prevention and Control Act which implemented most of the Commission recommendations.

It is important that in passing the act, the U.S. Congress recognized for the first time on the Federal level that fire is an undue burden affecting all Americans, that such losses of life and property from fire are unacceptable to the Congress and that the unacceptably high rates of death, injury, and property loss from fire can be reduced if the Federal Government establishes a coordinated program to support and reinforce the fire prevention and control activities of State and local governments.

Prior to the passage of that act, there did not exist in the Federal Government any department or agency which had a clear responsibility for fire prevention and control and the Congress did clearly intend to create a Federal fire focus and address the fire problem by lending support and assistance to State and local governments.

The legislative history, Senator, will also show that the proponents of the act insisted upon an Administrator-level head for the National Fire Administration. Fire prevention control had been a low priority in the Federal Government historically and the proponents of the legislation were intent on raising the Fire Administration's program to a high-level position.

Then on February 17, 1978, slightly more than 3 years after the establishment of the Fire Administration, the American Fire Service, through the Joint Council of National Fire Service Organizations, learned of the proposed reorganization plan which would meld the U.S. Fire Administration into a super-disaster-oriented agency now known as the Federal Emergency Management Agency.

The Joint Council took strong opposition to that plan until such time as the details of the plan and how it would affect the USFA could be determined.

The Council statement concerning the reorganization clearly articulated the position of the American Fire Service and its involvement since 1970. And I will quote a couple of excerpts from the statement.

The Joint Council continues to be the single voice of the Nation's fire service in dealing with the Federal Government in areas of mutual concern to its member organizations. We speak for our Nation's Fire Service in voicing the following specific areas of concern.

The Nation's fire problem demands a separate and identifiable agency within the Federal Government which will commit its total resources to assisting the existing fire protection community to serve public needs and interests on a day-to-day basis.

It is essential that the national focus on fire be maintained and strengthened and it is equally essential that it not be diffused and additionally that the focus not be subordinated to disaster aspects of any new agency.

There must be a National Fire Academy and related system which is the program identified as the most useful to the persons directly involved with reducing and mitigating the fire problem.

The National Fire Academy must not be subordinated to any other part of the agency programs and if any combination of civil defense and disaster training is contemplated, then the fire program should receive the highest degree of priority in keeping with the continuing magnitude of the fire problem and the large continually operating constituency of some 2 million fire service personnel. The statement continued, the Nation's fire service, 2 million Americans, who see daily the tragic results of Government in action, has waited patiently while other national priorities have been given recognition and financial consideration.

Comprehensive documentation is needed for us to evaluate the proposed reorganization plan in relation to areas of specific concern previously enumerated. The Council is resolved to commit all of its collective resources to assuring that the American public receive the benefits of a constructive Federal focus on their Nation's fire problem as originally intended by Public Law 93-498.

We as representatives of the Nation's Fire Service will oppose any lessening of this effort. After working intensively with the President's reorganization theme for 2 months, the Joint Council on April 19, 1978, took the following position. The Joint Council offered its support to the proposed reorganization of the Fire Administration, will continue consultation with the White House team during implementation thereof and actively encourage congressional concurrence.

The foregoing support is contingent upon the acceptance and implementation of the commitments made by the White House team to the Joint Council. Deviations from these commitments during implementation of the reorganization which may be unacceptable to the members of the Council will vigorously be opposed by the Council.

The Reorganization Plan No. 3 of 1978 establishing the new agency FEMA was submitted to Congress for ratification. I would like to read a few excerpts from the Senate report of Senator Muskie's Committee on Governmental Affairs dated August 3, 1978, which clearly indicates congressional concurrence with the Joint Council's position.

I quote:

> Concern was expressed about the possible loss of focus and identity of the NFPCA when transferred to an agency charged with large-scale emergency planning and relief responsiblities. It is also the committee's understanding that those organized fire service associations which have endorsed the transfer have done so as a result of assurances from the White House Reorganization Task Force team and from Mr. Greg Snyders, Director of White House Projects, that the transfer will not affect the authorities, responsibilities, functions, activities, integrity, focus or organizational structure of the NFPCA provided for in Public Law 93-498.

Then it goes on to say—I will skip a few here, Senator, but there is a response, several responses by James McIntyre, then Director of OMB, to questions asked by that committee, which I believe further supports the Joint Council position.

I quote:

> The reorganization plan is designed to assure that all mandates of the Federal Fire Prevention and Control Act of 1974 be continued. The reorganization maintains all authorities and the organizational integrity of the NFPCA as provided for in the Federal Fire Prevention and Control Act except that the position of Deputy Administrator of NFPCA will be abolished.
>
> The reorganization contemplates no changes in the focus now being given to the fire programs being conducted by the NFPCA. The reorganization proposal was not developed and is not being justified on the basis that the present NFPCA programs and priorities are misdirected."

As you well know, the President's Reorganization Plan No. 3 was subsequently ratified by the Congress and implemented.

Perhaps the one shining light in the 10-year history and the greatest achievement of the past decade was the purchase and opening of the National Fire Academy at Emmitsburg, Md. On October 8, 1979, the facility was offically dedicated and a new superintendent assumed his duties on January 1, 1980. The Academy opened its doors to the first group of students on January 21. On February 1, 1980, nearly 7 years after the report, "America Burning" was released, the first class of students graduated from this beautiful facility. I might add I had the distinct pleasure of being present at that first graduation.

However, this milestone in fire prevention and control history would once again become threatened. Immediately following the election of Mr. Ronald Reagan as President of the United States the American Fire Service once again faced the threat of having the U.S. Fire Administration melded into FEMA, and the visibility and function of the National Fire Academy redirected to place emphasis on training and I quote "all-purpose risk managers." As a result the Joint Council at its regular meeting on December 9, 1980, reactivated its Public Affairs Committee to provide the transition team and other Federal reorganization interests information regarding the Joint Council and its positions concerning the national fire interests. The committee met with Dr. Robert Cupperman of the Reagan administration transition team on January 9, 1981, and briefed him on all activities pertinent to the national fire program which had transpired during the past decade.

It was during this meeting that it became apparent to us that the focus, visibility, and functions of the U.S. Fire Administration and the National Fire Academy would become seriously diminished.

The meeting with Dr. Cupperman triggered an emergency meeting of the Council to once again attempt to salvage the national fire prevention and control program. The Council took the position on January 28, 1981, supporting the continuation of FEMA and the U.S. Fire Administration contingent on the principles and objectives stated and restated for several years, that the Reagan administration supports FEMA, the USFA and the National Fire Academy, that the Reagan administration assure the continued integrity, focus and effectiveness of the fire program authorized by Public Law 93-498, that the USFA's authorities, responsibilities and organizational structure under the law and the President's Reorganization Plan No. 3 of 1978 be maintained, that all authorities, responsibilities, programs and funding commitments of the USFA remain a distinct component within FEMA, that the USFA's primary responsibility to carry out all of the aspects of the Fire Prevention and Control Act of 1974 and be headed by an administrator for fire at an executive 4 level reporting directly to the Director of FEMA, that all authorities and functions of the USFA be assigned to the USFA Administrator other than such normally centralized support functions as administrative and computer services, legal affairs, accounting, finance, and payroll, that funding authorization for the USFA continue to be committed solely for its use, and that the National Fire Academy created by Public Law 93-498 is the most important function of the U.S. Fire Administration and provides the focus for professional development of fire service personnel and others engaged in comprehensive emergency planning, response, and control.

The Joint Council considers it imperative that the campus at Emmitsburg, Md., continue to be identified as the National Fire

Academy under the direction of the U.S. Fire Administration and that the Reagan administration recognize the fire service as the primary and largest operational constituency of FEMA as well as the U.S. Fire Administration.

Today I appear before you, Senator, once again to express our concern to the Congress on the proposed abolition of the U.S. Fire Administration as the national focus for fire and the loss of visibility and identity of the National Fire Academy and the redirected emphasis from its intended purpose. What I have attempted to do is to provide you with a comprehensive documentation to clearly show that the intent of the National Commission on Fire Prevention and Control, the American Fire Service and the Congress is to have the USFA continue as the national focus for our fight against fire and that the National Fire Academy serve as the visible and recognized national focus for training and education in fire prevention and control.

In my opinion the plan of the current administration seems to be the elimination of the U.S. Fire Administration as an identifiable focus within the Federal Emergency Management Agency. The visibility of the National Fire Academy has essentially disappeared into the National Emergency Training Center. The national focus for the fire problem which the National Commission on Fire Prevention and Control consider to be a vital ingredient in the fight against fire is disappearing.

We cannot allow that to happen. We have worked hard for more than 10 years to establish these agencies as the national focus to support our local and State efforts. The citizens of this Nation are just beginning to reap the benefit of those efforts. Those efforts must be continued. History clearly indicates to us that any progress made in the fight against fire in this Nation has been because the Congress has supported our effort.

We once again, Senator, seek the support of the Congress in the continued focus and funding of both the U.S. Fire Administration and the National Fire Academy.

Thank you for allowing me to testify this morning.

Chairman ROTH. Thank you, Lou. We will get to the question period in a little while.

At this time it is my pleasure to call upon Jim Monihan, who is chairman of and Delaware delegate to the National Volunteer Fire Council. I think it is no exaggeration to say that we in Delaware feel that our volunteer fire service is the best in the country. If there was ever real proof that voluntarism can work, the firefighters in the State of Delaware as well as some of the sister States have proven it. So I am very pleased to have you here today again. I will call upon you to make whatever remarks you care to make.

Mr. MONIHAN. Thank you, Senator.

I am chairman of the National Volunteer Fire Council and delegate from the State of Delaware. The National Volunteer Fire Council represents the some 28,000 volunteer fire departments located in every State in the Union and the 1½ million firefighters who man those departments.

I have submitted my written testimony and I will try to summarize it.

In 1979 and again in 1980, the council sponsored the Stonebridge Conferences to assess the needs of the volunteer fire service community. These meetings were supported by the U.S. Fire Administration which addressed the resulting resolution, many of which have been completed and the problems resolved. Many of the identified needs, however, still remain. These include assistance in public relations and public information, providing a central point for transfer of information within the fire service, public arson awareness and enforcement of regulations which will assist in preventing hazardous material incidents.

We also asked the Fire Administration to address a phenomena called "burn out." This is particularly significant in the emergency medical services and since the fire service of the United States, both paid and volunteer, provide approximately 80 percent of the prehospital emergency care in this country, this is significant. Germane to this is also research and dissemination of information on recruitment and retention of volunteers.

Inasmuch as the President's budget message sees the goals of the Fire Administration as having been met, and the programs thus no longer necessary, we suddenly find these and many other valued activities in the Fire Administration to be abruptly abandoned at the end of September of this year.

The budget message explained this perceived achievement of the administration's goals "to the significant decrease in the loss of life and property due to fire and increased efforts in the private sector."

Additionally the President asserts that fire prevention and fire control are solely a local problem.

First we do not agree that the original goals of the Congress in establishing the Fire Administration and the National Fire Academy have been met since the original statistics were incorrect. However, even given the various and conflicting numbers we still feel that the present level of injury, loss of life and financial hardship is unacceptable in the world's most advanced and industrialized nation.

Second, while we agree that local fire protection is a local problem, we, along with the career firefighters, deal with these problems at the local level and on behalf of local government every day of our lives.

There is, however, an entire area of the fire problem with which we need assistance. This has been from the very beginning of the President's Commission and continues to be referred to as a public national focus on the fire problem. We have heard today and also have been advised earlier that this national focus and certain programs of the Fire Administration can be provided by the National Fire Academy. We question that a training institution addressing itself to the fire service and fire community training, can provide a national focus for the general public.

In addition, we wonder and we have heard earlier this monning that there are not budgetary funds allocated for this purpose.

Third, it seems that this is directly contrary to the budget message since these programs by the budget message definition are supposedly unnecessary.

Additionally such a transfer of responsibility even if the funds are there, makes one wonder how many dollars would actually be saved by a simple reshuffle.

We have seen excellent programs conducted and many currently well under way in areas that are not necessarily germane to education, these include such things as firefighter health and safety, arson awareness, promotion of smoke detectors and residential sprinklers. Residential sprinklers is a matter of development, not education.

All of these are vital to the well being of every citizen of this country. In short, Senator, the National Volunteer Fire Council subscribes to the resolution for the continuation of the U.S. Fire Administration of the Joint Council of National Fire Service Organizations and further adopted the following resolution at its annual meeting on April 4 of this year in Edinburg, Tex. I would like to quote:

> Whereas the Office of Management and Budget has recommended eliminating funding of the U. S. Fire Administration and whereas the U.S. Fire Administration has begun to develop programs which will result in the reduction of death, injuries and property losses due to fire, and whereas the National Fire Academy has lost a significant portion of its identity due to being folded into the National Emergency Training Center, and whereas programs developed by the National Fire Academy are providing the nation's fire service, training never before available, therefore be it resolved that the National Volunteer Fire Council strongly requests the continued funding of the U.S. Fire Administration.
>
> Be it further resolved that the National Volunteer Fire Council requests reestablishing the National Fire Academy as a strong and individual identity and national focus for fire service training and education.

Senator, on behalf of the volunteer firefighters in this country, in fact in behalf of every citizen, whose life, limb, and property is threatened by fire, I solicit your committee and your colleagues' support to restore full funding and staffing to the U.S. Fire Administration so it may continue its programs and research to protect our citizens.

On behalf of our volunteers and our citizens, I thank you for your attention and kind consideration.

Chairman ROTH. Thank you.

Mr. Gannon?

Mr. GANNON. Thank you, Mr. Chairman.

First, let me extend my appreciation to you and members of this committee for providing me and my colleagues of the Nation's fire services this opportunity to present our views concerning the administration's fiscal year 1983 budget recommendations, calling for the elimination of the U.S. Fire Administration.

I have submitted written testimony and I will try to briefly summarize it.

I also serve as chairman of the joint council of the Nation's fire services and just last week at our joint council meeting we had taken a very strong, unanimous stand in support of the Fire Administration and the Fire Academy.

It should be noted that almost 7 years of intense work by the Nation's fire service organizations and the U.S. Congress elapsed before the U.S. Fire Administration was finally created. We are proud of the strong and active role that the IAFF played in the Fire Administration's creation and subsequent development.

We are pleased to see that the present administration recognizes that improvements and gains have been made in bringing our Nation's fire problem under some control. However, we are disillusioned and disappointed to see that the administration's recommendation eliminating the agency which has been most instrumental in helping to develop programs and coordinate activities within the fire community so that the goals set out in the National Commission on Fire Prevention and Control report, "America Burning," might be attained.

We have made progress but we still have a tremendous amount of work to do in order to bring losses in life, property, and injuries caused by fire down to a more acceptable level.

We believe the U.S. Fire Administration must not be eliminated nor should its funding level be reduced so that it can continue with such programs as "Projects Fires" which was initiated in cooperation with NASA to develop improved and lightweight firefighting protective clothing and equipment, fire-protection engineering and technology programs, including the development of residential sprinklers and the maintenance of the Fire Administration's data center which has been instrumental in collecting and distributing information on fire trends and problems.

Additionally, we would like to bring the committee's attention to the National Fire Academy and particularly to its open learning fire service program which is specifically geared toward the working firefighter.

The learning program is a higher education project which provides access to college education to all fire service personnel in this country.

The project is run in conjunction with selected colleges and universities, offering college credits and degrees in fire administration and fire-prevention technology.

It should be noted that the students registering for the program pay their own way and receive no tuition subsidies. Since its inception in 1977, we have witnessed the flowering of this program with eight courses now being offered to over 900 registrants by nine accredited colleges and universities.

The completed open learning program calls for the development of a minimum total of 12 three-credit-hour courses. Continued support for this program is absolutely essential so that the minimum number of courses, 12, which have been promised to the universities, can be made. Without the minimum 12, all students who have started the program will be left in the lurch and the institutions that have begun in reducing the new curriculum will be forced to reverse and stop their efforts.

While the administration's fiscal year 1983 budget recommendations do include some funding for the National Fire Academy, the funding is so drastically reduced that many of the Academy's projects, including open learning program, are being threatened with extinction.

We would ask the committee to address this issue and to assure that adequate funds for the completion of the open learning program be provided.

Our statement today attempts to set up objectively those areas in which we support the Fire Administration. The statement also points to the programmatic areas where we make suggestions for change and alteration.

More important, is our strong support for the Congress to provide appropriations for the U.S. Fire Administration assuring this vital program's continuation.

Thank you, very much, Mr. Chairman.

Chairman ROTH. Thank you.

Our final witness is Chief Hawkins.

Mr. HAWKINS. Thank you, sir.

I would like to introduce my testimony on record and I would like to highlight a few of the items.

Chairman ROTH. I would reiterate that your entire statement will be included as if read.

Please proceed.

Mr. HAWKINS. The Nation's fire chiefs and the entire fire service community as well as Members of Congress have worked for many years to maintain a Federal focus on the fire problem. We do not believe that the President's fiscal 1983 budget message is accurate as it refers to the Fire Administration.

The goals have not been completed. We talk about data and it has been stated here today that someone else would gather the data from the fire programs.

As was asked by the Senator, who will gather this data?

FEMA admitted that they were going to discontinue their seeking funds for the USFA, and I heard the gentleman right, he said, perhaps, that they would do it. This is one of our greatest concerns.

We spoke of arson quite at length. Having been a former city fire marshal and presently the chairman of the Oklahoma State Fire Marshal Commission, there is no way in this world that city and States can gather the data necessary to further this program.

When we have major fires, not speaking of the average house fire that occurs with the loss of life and property, but when a major fire occurs in this Nation, we don't just lose the building or the apartment house. We lose businesses, we put people out of business, we put people out of their homes, and very few of these people are put back to work immediately.

As Director Giuffrida says, he is going to put 35 people to work somewhere, but not doing the things that we ask him to do, and that this Congress has directed him to do.

I believe that the Nation's fire problem continues to be as serious as it has been in the past and it deserves Federal involvement. I believe the following points are appropriate for the Federal fire focus. The Nation's fire problems demand a separate and identifiable agency within tbe Federal Government which will commit its total resources to assisting the existing fire protection community to serve the public needs and the interests on a day-to-day basis.

I would ask the Congress if FEMA does not feel the desire or see fit to continue these programs, that Congress pass Federal legislation to fund the U.S. Fire Administration and encompass the Fire Academy within the Fire Administration.

I think we have come to that degree. Since the creation of the U.S. Fire Administration, the International Association of Fire Chiefs have enjoyed the opportunity to work closely with the Fire Administration and the National Fire Academy. This relationship is one of mutual support for the benefit of the fire service. We believe it is essential that dialog be maintained between the fire service, the Fire Academy, and the Fire Administration.

I felt and I feel like the General felt insulted when we brought these points to his attention as the Director of FEMA.

We were told that if the name on a sign and the change of a book is all we had to complain about, we didn't have much to complain about. We represent the fire service throughout the Nation and our members are concerned.

We are concerned about the fire incident reporting system, data system, residential sprinklers, smoke detectors, code administration enforcement, firefighter safety and health, arson prevention control, and public education system.

These are all areas that require Federal involvement. That is what we have been striving for so hard in our past work within the joint council, the Fire Administration, and the National Fire Academy.

I would refer you to a House hearing on the U.S. Fire Administration when the question was asked to the Administrator if he was going to put more money into the Academy to take care of the problems that had been brought up here today.

I didn't get his direct answer, but on page 90 of the transcript of the hearing, Mr. Donovon states not to his knowledge and he is the superintendent of the Fire Academy.

So there is no extra funding, or additional funding, going to the academy.

It appears that individuals in the current administration who have little or no experience in fire protection and emergency service have decided to use the budget as a tool and the fiscal crisis as an excuse to override the clear intent of Congress and a very large fire community.

In all due respect to emergency organizations, I think that probability of someone coming in from the district that you represent to say a nuclear bomb has just been dropped is very remote, but I think it is very possible that an aide could come in to say your house back home is on fire.

We respect you for hearing us today, hopefully we have made some points that help you understand the dilemma that we are in. I hope we can have some legislation that will honor the fire service.

Thank you, sir.

Chairman ROTH. Thank you, Chief Hawkins.

I should make sure that each of you understand that this committee's primary responsibility is for reorganization and oversight. The actual authorizations or funding for FEMA and the Academy is within the jurisdiction of the Commerce Committee. I happen, as you gather, to share a great deal of your concern. I personally find it somewhat perplexing that we are increasing civil defense so much at the very time we are reducing the expenditures for fire protection.

We are all concerned about major disaster emergency, of course. I hope you are right that those are remote; and I think they probably are. But fires in homes are not remote. They happen every minute of the day. This is something that I am afraid, as you pointed out, Lou, can get lost in a reshuffling of functions. Another side of it that concerns me, is the safety of the firefighter. It is a good point. It is something we have not focused upon, but it does seem to me that the Federal Government can do a great deal in research and development toward providing new techniques, new protection, and new safety for not only the victims, but the firefighters themselves. So, I have a great deal of sympathy. I do want to say that we are in support of trying to streamline government and trying to make the dollar go as far as we can. But having said that, it does seem to me that in this particular instance, as we are talking about a relatively small sum of money, that we are making an error in an area critically important to every American family.

Certainly research and development in certain areas can be handled by the private sector; and maybe State and local governments can do something. But it seems to me that the Federal Government can be and should be the cutting edge of this. Because if it is helpful in Delaware, it should be helpful in Montana or California. So I cannot see R&D being entirely taken over by somebody else. The same thing is true in statistics. They ought to be provided somewhere and the Federal Government is gathering figures in many other areas. I don't know why not in this area. The same is true in arson. It seems to me that is a critical problem.

I do have a few questions I would like to ask. In a sense, I think most of them have been pretty well addressed. But do you think that any of the present functions of the Fire Administration are repetitive of those efforts presently being made at the local level?

Before you answer this, let me ask you to give it some careful thought because we are looking for ways to avoid unnecessary duplication and repetition. It is important that each level of government do what they can do best. So I found in the past the tendency is always to say no. But what we need are your ideas. And, if you have any further thoughts at a later time, I would appreciate being advised because what we really want to do is concentrate what Federal funds we have in the areas that they can do the most good.

I think we want to maintain the national focus, as you said. We want to maintain the Fire Academy and its identity. I think that is critically important. I think we want to do as many of these things that can be best done at the Federal level, but are there any areas that you feel the Federal Government should not handle, programs that are duplicative or could be better or at least done equally well elsewhere. Would anyone care to address that?

Mr. McCormack. Yes. The Joint Council at a retreat just a week and a half ago took a look at the programmatic paper handed out by the Fire Administration. Unfortunately they have not had time to totally digest it and has a committee looking at that, also trying to attach recommended funding in relationship to programs.

Chairman Roth. Have any of you, or any of the officials in your various organizations been notified formally by FEMA about the changes that they are recommending? Has there been any consultation or contact with the individual organizations that you are aware of?

Mr. Monihan. No, Senator.

As I said, we have heard comments that the focus can be provided at the Academy, that some programs will go to the Academy but no specifics of any nature.

Mr. **Hawkins**. We asked and finally received an audience with the general and he talked in generalities, as has been stated. Nothing, to any extent, on what the programs would be, or where they would be, other than the Academy.

Chairman **Roth**. Let me ask this question. Again I am going to ask you to give what you think is a realistic answer. It has been suggested that maybe the Fire Administration is the victim of its own success. As you well know, the fire, death, and destruction that results from fire has been reduced substantially since the formation of the Fire Administration.

To what extent do you think the Fire Administration is responsible for that, or do you think it would have been pretty much the same without this organization?

Mr. **Amabili**. Senator, I would like to address that.

During that study, back in 1971-73, on the Commission, one of the statistics available to us at that time was that there was approximately 12,000 fire deaths in the United States. One of the subheadings was vehicle fire deaths which at that time indicated 3,950 fire deaths. Based on my personal experience, I questioned those figures at that time. We later learned that that 3,950 should have been 395. Somebody put the decimal point in the wrong place. So if we are basing the effect of the National Fire Administration on 12,000 versus the 6,800, I think you reported this morning, it is really more like 82 versus 6,800, although there has been appreciable success.

It certainly has not been phenomenal enough to do away with the program, as I see it.

Mr. **Monihan**. Senator, if I may, on the way over, I picked up a copy of the fire report from our fire marshal. Without trying to be melodramatic or anything, if I may recount an experience. It ties in here.

Inauguration Day, January 20, 1981, at precisely the time President Reagan was taking his oath of office, I was tied up digging the body of a 3-year-old child out of his playroom. The fire that killed him, seriously burned his sister, was caused by a faulty propane gas cooking stove. The family knew the stove was faulty, but didn't recognize the urgency to have it fixed. It also was caused by the fact that the knobs were too easy for the child to turn on. The situation remained that two of the burners were faulty. When he turned them on, they didn't ignite, they just filled the room with gas and then ignited. It is our hope that the focus the U.S. Fire Administration can bring to bear on the fire problem combined with public awareness and public education programs that they are now developing will spare the next 3-year-old and his 1½ old sister, who received serious burns to the face and burns to better than half her body.

Senator, I submit to you that the administration has not reached its goal. It is only on its way.

Mr. **Hawkins**. If I may, Senator, I certainly hope that this isn't a criteria that FEMA will follow, that if a portion of their organization is successful, that they don't discontinue each one as it comes about.

Chairman ROTH. I have only one question. You gentlemen are very patient. To what extent do other emergency services such as civil defense, and the police, depend upon the services of the firefighters?

Mr. HAWKINS. As a fire chief, my civil defense director is in my office once, twice, three times a month, asking for assistance and what I can do to help him in his program.

Chairman ROTH. I can just speak as one person. I would say that as just an individual in today's world, and as a father, I would think in the event of a fire or emergency, disaster, there is no group I would depend on more than our firefighters.

Gentlemen, I greatly appreciate your taking the time to be here today. I think that your testimony is extremely helpful. I won't pretend that we do not have budgetary restraints. None of us like some of the things that have to be done. But I can say to you that, as one Senator, I will try to assure that the national focus on fire protection and the focus on the Academy will be continued. I think this is of critical importance to all of us and I will write a letter to OMB pointing out that it seems to me that there ought to be room for further funding, particularly in view of the very, very substantial increase in civil defense. I think some of those funds could be better utilized in the area of fire protection.

Thank you very much.

[The prepared statements of Mr. McCormack, with attachments, Mr. Amabili, Mr. Monihan, Mr. Schaitberger (submitted by Mr. Gannon), and Mr. Hawkins follow:]

INTERNATIONAL
SOCIETY
OF
FIRE
SERVICE
INSTRUCTORS

Edward McCormack
Executive Director

International Society of
Fire Service Instructors
20 Main Street
Ashland, MA 01721
(617) 881-5800

TESTIMONY OF

THE INTERNATIONAL SOCIETY OF FIRE SERVICE INSTRUCTORS

PRESENTED BY

EDWARD H. McCORMACK, JR.
EXECUTIVE DIRECTOR

IN SUPPORT OF

THE CONTINUATION OF FUNDING

FOR

THE UNITED STATES FIRE ADMINISTRATION

BEFORE THE

SENATE COMMITTEE ON GOVERNMENT AFFAIRS

APRIL 21, 1982

Mr. Chairman and Honorable members of the Committee:

My name is Edward H. McCormack, Jr., of Hopkinton, Massachusetts. I am the former Chief of Fire Training and Director of the Massachusetts Firefighting Academy. I submit this testimony as Executive Director of the International Society of Fire Service Instructors on behalf of its 5,000 plus members representing every State in the Union.

The Society is an organization dedicated to the professionalization of the Fire Service Instructor. The membership consists of State Directors of Fire Service Training and instructors in state, municipal, college, industrial and federal programs, as well as volunteer instructors, fire safety educators, training directors and EMS instructors. The Society is a member organization of the Joint Council of National Fire Service Organizations, and is the recognized voice of the Fire Service Instructor.

It is with great concern that I appear before this committee today. As Lou Amabili testified, the fire service of this nation has been fighting for the Federal Government to recognize the needs of the fire service, and do its share of protecting life and property in America from fire for over a decade. To date, however, the only element of Government in our corner has been both branches of Congress.

You may have noted, I used the verb fighting because that is what we have been doing. Fighting with whatever administration was in power, fighting with the various agencies responsible for executing the Congressional mandate on Fire, and fighting amoungst ourselves - not realizing that the strategical game plan of those in power was to divide and conquer.

Round One of the fight began over the Fire Prevention and Control Act of 1968. Upon passage, only the part authorizing the Center for Fire Research was funded. To combat this, the Joint Council of National Fire Service Organizations was founded, and the Council succeeded in having Congress fund the National Commission on Fire Prevention and Control.

Round Two, a few short years later, was the impending veto of what ultimately became PL93-498. Only our forcible entry to the Chambers of OMB caused reconsideration and the eventual passage of PL93-498. At issue, the physical facility of the National Fire Academy.

Round Three saw the President nominate a candidate for the position of Administrator of the USFA, which was unacceptable to the Fire Service. After using a high pressure line the nomination was withdrawn.

Round Four was the appropriation of funds for the purchase of the National Fire Academy. While success took two years, accomplishment was achieved.

Round Five unveiled a game plan within Commerce to decentralize the USFA, which would have weakened its effectiveness. This was a short round, interrupted by the unveiling of the Presidential Reorganization Plan #3.

At the start of Round Six, we kept the flames of Reorganization (PRP-3) to a simmer until we could effectively justify to those working on the plan the needs of the American Fire Service. At the end of the round, we were given certain assurances already presented to you by Lou Amabili. While we were successful in retaining the position of Administrator USFA, we lost the Deputy Administrator's position, and were not forceful enough to retain the USFA as a separate line item in the FEMA budget. Therefore, its extremely difficult to ascertain exactly what funding is being used to implement the mission of PL93-498.

Round Seven came with transition. The transition report indicated the NFA was an appendage to FEMA, and in a negative sense. It's regrettable that the separate and distinct Federal Fire Focus, which the fire services of this nation worked hard and long for, is viewed as an appendage, but we are fortunate that the prior Administrators of USFA were sensitive to the needs and wishes of the Nation's Fire Service.

Round Eight, also associated with Transition, saw a separation of the Single Federal Fire Focus by placing the NFA under the Training and Education component of FEMA instead of maintaining it within the USFA. This separation may have totally integrated the Fire Programs with FEMA, but is not condusive to a comprehensive Fire Program which the Fire Service and citizens of this Nation need and deserve.

Round Nine was a serious and prolonged round. We found the National Emergency Training Center being created and overshadowing the NFA. What a surprise, as we were promised the NFA would house the Emergency Management Institute (EMI), and provide those support services which were logical and financially feasible. As we continued in this round, we became victims of the 12% cut, and for the final blow, were deprived the money promised for the sale of the Marjorie Webster School.

Little did we know, the Administration was saving the death blow for Round Ten, which is the elimination of the USFA. So it's easy to understand that the Fire Service, as fighters, will continue fighting until the round is over.

We realize that if OMB had its way, they would have eliminated both the USFA and NFA. Fortunately, we had FEMA Director Guiffrida fighting for us, and he was successful in saving the NFA. Unfortunately, this is not enough, and not acceptable.

The reasons submitted to Congress for the elimination of the USFA are equally as unacceptable, and about as irresponsible as any we have ever heard. Let's address but a few.

1. The Joint Council of National Fire Service Organizations was formed to create the USFA, and not established after the USFA was created, as was reported in recent testimony before Congress. The Joint Council was not created for, or never will be intended to surplant Federal Support for Fire.
2. The modest reduction in deaths from fire reported to Congress was predictable as a result, in part, of the Federal Programs. Conversely, however, the incidence of fire is increasing, and the continuation of many of the programs initiated by the USFA are still urgently needed.
3. State and local government is already over taxed, and hard pressed to maintain an adequate level of fire protection in many parts of the country. Thinking that any more of the existing State and local monies will be

redirected toward fire is absurd, to say the least. As a matter of fact, if a substantial portion of Fire Protection in America was not provided by volunteers, the Nation's inflation rate would probably already be triple digit.

4. To even contemplate an increase in funding for other elements of FEMA when the Fire Service has been, and will continue to be, the first responder to the thousands of daily responses to peace time, man-made and natural disasters shows the lack of concern for the thousands of individual lives lost throughout the year from fires. The Fire Service is the only non-military service capable of responding immediately in time of need, and as such, should be given greater recognition and attention by the Federal Government.

5. To indicate that many of the programs of the USFA will be handled by the NFA at the National Emergency Training Center (NETC) with no increase of funds or personnel automatically dictates the low level of priority these programs have.

While Fred Villella, Director of the NETC has made great strides in improving the operations of the NFA and has increased both the educational offerings available and greatly increased the student attendance figures with the same or probably even less dollars than ever before, he is certainly not a magician who can maintain existing and/or institute new programs with no increase in dollars or personnel.

So, Mr. Chairman, we are in Round Ten. The Fire Service last week completed a solidarity meeting in Williamsburg, Virginia, and is solid as a unit. Therefore, we continue in Round Ten as a strong, viable and united fire service, ready to attack the elimination of the USFA as firociously as we attack fire.

Copies of separate resolutions unanimously passed by ISFSI and the Joint Council are attached for inclusion in the record. These resolutions prey on Congress as the referee in Round Ten to decide in favor of improved life and property safety for every citizen in America by unifying the Federal Fire Focus with the USFA and NFA as a single element within FEMA to carry out the mandate of PL93-498 with not only the existing, but increased levels of funding and personnel.

The resolutions attached contain specific, programatic statements and priorities, and we would be willing to provide additional supportive material if requested.

In closing, Mr. Chairman, we need your help - the Fire Service and every citizen. In these times of spiraling inflation, we need the Federal Fire Focus with adequate funding and personnel more than ever. And, Mr. Chairman, if we are not successful in this venture, as we expect to be, please submit for us the required legislation to restore the provisions of PL93-498 as a separate and independent agency of Government.

Thank you for the opportunity to appear before your Committee and restoring our faith in the Government process. We stand ready to help you, the President, FEMA Director Guiffrida and Congress in putting a stop to "America Burning".

INTERNATIONAL SOCIETY OF FIRE SERVICE INSTRUCTORS

POSITION PAPER

AS UNANIMOUSLY ADOPTED AT THE ANNUAL BUSINESS MEETING IN MEMPHIS, TN

MARCH 31, 1982

The International Society of Fire Service Instructors hereby urges President Reagan, Congress and FEMA Director Louis Guiffrida to:

1. Immediately restore the visibility and funding level of the National Fire Academy to $8,000,000 and provide a plan of action for increased visibility, funding and staff to carry out the Congressional mandate establishing the National Fire Academy.

2. Maintain a representative in each of ten FEMA regional offices whose sole responsibility is impacting on the nation's fire problem.

3. That there be provided within FEMA, a Federal Fire Focus to coordinate the programs as identified by the ISFSI Board of Directors and currently being carried out by the USFA funded to a level of not less than $4,000,000 with not less than 35 full-time employees (FTE's) and that the NFA shall, through its field program, have delivery responsibilities for any courses developed by the Federal Fire Focus.

International Society of Fire Service Instructors
20 Main Street
Ashland, MA 01721
(617) 881-5800

INTERNATIONAL SOCIETY OF FIRE SERVICE INSTRUCTORS

POSITION PAPER

UNITED STATES FIRE ADMINISTRATION

March 27, 1982

Word that the United States Fire Administration (USFA) is not to be funded in fiscal year 1983 comes as great shock to the International Society of Fire Service Instructors. It is the feeling of the Board of Directors of ISFSI that all efforts should be made for the continued funding of the USFA.

To this end, the Board of Directors has reviewed in detail the goals, objectives and milestones for the USFA as provided by Administrator Thompson at the last Joint Council meeting.

It is the Board's feeling that the goals and objectives listed need to be prioritized to be consistent with the recommendations of "America Burning" and contemporary needs.

The following is the priority listing which the ISFSI Board of Directors would support.

GOAL 1. Reduce the risk of fire through public education

Goal: Public fire education has demonstrated the capability to reduce fire loss by 60 to 80 percent when programs are targeted to high risk groups and specific fire problems. Working through a fire education resource network of state and local fire educators, educational methodologies and materials are disseminated in response to local needs. New mass communications technologies are being adapted to this mission. Additionally, the methodologies used successfully in fire prevention education are being studied for application to the broader Federal Emergency Management Agency (FEMA) mission of emergency and disaster readiness and response.

OBJECTIVE: 1. Maintain capability of fire education resource network to deliver public education programs and materials.

OBJECTIVE: 2. Encourage the purchase of smoke detectors for unprotected householders through a national public education campaign.

OBJECTIVE: 3. Develop five Media Kits targeted at reducing specific high-risk home hazards and reinforce the media information through home safety surveys.

OBJECTIVE: 4. Provide target fire safety information to high-risk populations, particularly pre-schoolers.

OBJECTIVE: 5. Provide information on improving fire safety in institutional occupancies.

OBJECTIVE: 6. Establish a program to minimize counter-productive behavior in emergency situations by development of procedures for the management of mass media communications.

This objective is not understood, and needs explanation.

GOAL 2. Improve Fire Safety by Accelerating Refinement and Improvement in Residential Detection and Supervision Systems

Goal: Lives and property can be saved from fire by residential sprinklers, smoke detectors, and Automatic Remote Residential Alarm Systems (ARRAS). To perfect the technology associated with residential sprinklers, USFA has put together a partnership consisting of industry, the fire service, and non-profit research labs, and standards groups to help develop and promote the use of residential sprinklers. Smoke detectors are effective, but they must be installed and maintained; this is the subject of a major public education effort. Finally, remote residential alarms must be evaluated to determine how they can best be improved and research and utilization made widely available.

OBJECTIVE: 1. Promote listing by an approved testing laboratory of quick reaction sprinkler heads for residential and light hazard use.

OBJECTIVE: 2. Conduct studies to improve performance and reduce the cost of residential sprinklers.

OBJECTIVE: 3. Conduct studies to overcome obstacles to introduce sprinklers for residential use.

OBJECTIVE: 4. Take steps to promote the use of sprinklers in residences.

OBJECTIVE: 5. Evaluate and stimulate the improvement of smoke detectors.

OBJECTIVE: 6. Take steps to promote the use of smoke detectors in residences.

OBJECTIVE: 7. Evaluate performance of at least one ARRAS system and publish results in 1983.

GOAL 3. Design and Implement Programs to Improve Firefighter Safety and Health

Goal: Firefighting continues to be one of the most dangerous occupations. It can be made safer by improving firefighting protective outfits, tools and equipment and placing needed emphasis on firefighter training and physical fitness programs.

OBJECTIVE: 1. Test and evaluate improved protective clothing developed under Project FIRES, including breathing apparatus and radio communication systems.

OBJECTIVE: 2. Promote physical fitness programs for firefighters.

It is felt this is already done.

OBJECTIVE: 3. Field test the use of acceptable personal distress devices in a major fire department and develop performance standards.

It is felt this should be done by the private sector, but not by manufacturers.

OBJECTIVE: 4. Develop a health surveillance system for use by fire department physicians and safety officials to identify causes of job-related illnesses leading to premature deaths and disabilities.

Needs change to include annual blood-giving.

OBJECTIVE: 5. Produce a series of publications and sponsor research that will aid local fire departments in furthering safety and health programs.

Should be done by private sector.

OBJECTIVE: 6. Continue programs on high-priority firefighter safety and health issues.

OBJECTIVE: 7. Obtain and analyze improved firefighter casualty data suitable for designing prevention and control programs in firefighter safety and health.

OBJECTIVE: 8. Improve tools, equipment, protective gear, and other technological and engineering systems used by the fire service to deal with non-fire emergencies, such as radiological emergencies and hazardous material spills.

FEMA and not USFA money should be used for this effort.

GOAL 4. Reduce the Frequency and Severity of Fire Through Improved Fire Prevention and Enforcement of Codes.

Goal: The purpose of this program is to develop and disseminate model effective fire prevention programs and to determine how codes may be better administered and enforced. Work is ongoing to research and develop guidelines for local governments to select and administer code programs and to help them conduct fire prevention programs.

OBJECTIVE: 1. Research procedures to remove legal obstacles to effective enforcement of codes.

OBJECTIVE: 2. Assist local government to select and implement effective code enforcement program.

OBJECTIVE: 3. Research and develop innovative ways to enforce code programs and to make new codes retroactive to cover existing structures.

OBJECTIVE: 4. Research and determine sprinkler trade-offs for FY 83 (September).

OBJECTIVE: 5. Develop a fire prevention/inspection program that can be successfully implemented in communities served by volunteer citizens.

Should be in Public Education.

OBJECTIVE: 6. Develop a comprehensive fire loss reduction program that includes guidelines for fire loss management, staffing, training, inspection procedures, code enforcement, arson mitigation and public education.

OBJECTIVE: 7. Establish a nation-wide fire prevention/loss reduction contest to motivate greater community participation in fire prevention/safety activities and thereby reduce loss.

NFPA already has one.

OBJECTIVE: 8. Publish Fire Technology Abstracts.

GOAL 5. Determine the Magnitude and Characteristics of the U.S. Fire Problem

Goal: Making responsible and accurate fire protection decisions at every level of government and in the private sector requires detailed data and accurate analyses of the fire problem. By working with the private sectors, USFA can pinpoint both problems and opportunities and help to identify solutions.

OBJECTIVE: 1. Maintain and improve the National Fire Incident Reporting System (NFIRS).

OBJECTIVE: 2. Prepare and publish annual national estimates of the magnitude and characteristics of the U.S. fire problem. This will include Fire in the United States (revised format) and special reports.

It is felt that USFA Goal 2 should be Objective 3 of this Goal.

OBJECTIVE: 3. Help public and private agencies use available information to make better fire protection decisions.

Because better information exists on the fire problem, more action to reduce fire death, injury and loss is now possible. Emphasis here is placed on helping state and local governments develop easy to understand data displays which motivate people to act.

GOAL 6. To Increase the Capability of the Fire Service to Mitigate the Consequences of Local Emergencies and Disasters

Goal: Fire Service is the key local service for emergency and disaster response. However, local fire protection planning is not always taken into account in programs and planning activities sponsored by FEMA at the state level. This activity is directed toward coordinating state and local fire service planning with state Office of Emergency Services Planning. Also, the fire service needs assistance in dealing with non-fire emergencies, such as medical, hazardous material spills, radiological emergencies, etc.

OBJECTIVE: 1. Establish operational procedures for fire service agencies with major responsibility for emergency responses.

OBJECTIVE: 2. Assist fire departments in developing and improving information management and decision support systems.

OBJECTIVE: 3. Examine feasibility and costs of expanding NFIRS to handle data on other emergency incidents.

Belongs as Goal 5 of NFIRS

OBJECTIVE: 4. Develop new research-based information to assist fire departments in operations and management. This includes information on cost-effectiveness of policies, practices and personnel levels in suppression, prevention and other fire department activities.

Belongs in personnel management

OBJECTIVE: 5. To improve the management and resource planning of Fire Department Emergency Medical Services.

Should be a joint effort.

OBJECTIVE 6 SHOULD GO TO NFA.

OBJECTIVES 7 AND 8 ARE STRICTLY ADMINISTRATIVE.

OBJECTIVE: 9. Establish a working relationship with representatives of the industrial fire protection community to determine programs that will assist private enterprise with their efforts of self-help fire loss reduction.

GOAL 7. Reduce Arson Loss Through Improved State and Local Capabilities for Arson Prevention and Control.

Goal: Arson is the fastest growing crime in the United States. FEMA has been assigned, by Congress, the role of coordinating federal anti-arson programs and for developing Arson Information Management Systems which permit the exchange of information and data among law enforcement, fire investigation, insurance and prevention agencies.

OBJECTIVE: 1. Provide coordination of federal anti-arson programs.

OBJECTIVE: 2. Provide technical assistance to state and local governments to improve anti-arson programs.

GOAL 8. Assist the Fire Service in Improving Personnel Management Procedures and More Effectively Utilizing Personnel Resources.

OBJECTIVE: 1. Assist fire departments in building effective management teams.

This should be done at the NFA.

OBJECTIVE: 2. Develop a program to assist the fire service in firefighter selection procedures and personnel management.

OBJECTIVE: 3. Improve the use of personnel resources in the delivery of fire prevention and emergency response services.

GOAL 9. Improve Fire Safety of Products and Systems Associated with the Ignition and Propagation of Fires

Goal: Technical evaluation of fire loss data can determine the extent and nature of hazards and recommend appropriate remedial action. This information is used by voluntary standards organizations, such as ASTM and NFPA, to develop standards that are cost-effective and respond to real-life hazards. It has been used to stop unnecessary regulations as well as to stimulate needed ones. Papers have been presented to the plastics, wood products, chemical, and textile industries and industrial associations, among others, highlighting aspects of the fire problem which either they can solve through application of their products or through increasing the safety of their products and materials. This activity also produces Fire Technology Abstracts, the only national compendium of abstracts of literature relating to fire technology.

THIS SHOULD BE THE PRIVATE SECTOR'S RESPONSIBILITY.

OBJECTIVE: 1. Identify major problem products and design corrective programs.

OBJECTIVE: 2. Disseminate results of fire hazard evaluation.

JOINT COUNCIL OF NATIONAL FIRE SERVICE ORGANIZATION

PUBLIC AFFAIRS COMMITTEE

January 9, 1981

A meeting of the Joint Council Public Affairs Committee was convened by Chairman Louis J. Amabili at 8:30 a.m. on January 9, 1981, in the Washington office of the NFPA.

Members Present:

Louis J. Amabili, Chairman	ISFSI
Skip Smith	NFPA
Harold Schaitberger	IAFF
Ed McCormack	ISFSI
Don Flynn	IAFC
Dennis McCune	IAFC

The Joint Council, at its annual meeting on December 9, 1980, reactivated the PAC Committee with the following charge: "To coordinate the activities of the Joint Council of National Fire Service Organization and to provide timely information to the Joint Council of National Fire Service Organization as it relates to the reorganization of the Federal involvement relative to the Fire Administration; etc., appointed staff and the National Fire Academy.

Also to provide to the transition team and other Federal reorganization interests, information regarding the Joint Council of National Fire Service Organization and its position concerning national fire interests in the new administration."

The first order of business was to review strategy prior to meeting with Dr. Robert Cuppermann of the Reagan Administration Transition Team. The Chairman advised the Committee that contact was made with Cuppermann late the day before and a meeting for 9:30 a.m. this date had been scheduled. The Chairman further reported that during the telephone conversation Dr. Cuppermann indicated he had no knowledge of the Joint Council and its activities and that he had not received the mailgram from Council Secretary Joe Redden.

The Committee agreed that Cuppermann be briefed on the Joint Council activities beginning with the Fire Research and Safety Act of 1969, the formation of the Council in 1970 and pertinent activities to date. It was further agreed that he be given a copy of the PAC report to the Joint Council dated April 19, 1978, and copies of communication between PAC and the White House Reorganization team including the Memorandum of Understanding dated March 28, 1978, a letter to Greg Schneidere dated April 7, 1978, and a letter from George Jett dated April 14, 1978.

The Committee recessed at 9:15 a.m. and reconvened with Dr. Robert Cuppermann at 1725 Eye Street, Room 1103. Discussions on FEMA, the USFA and the NFA and the philosophy of Dr. Cuppermann lasted until 10:30 a.m.

The PAC Committee reconvened at the NFPA office to review and analyze the meeting with Dr. Cuppermann. The following points were brought out during the discussion by Dr. Cuppermann:

-He stated USFA is not working cooperatively with FEMA

-He referred to the USFA several times as an appendage within FEMA

-He would create an "Office of Public Safety" within FEMA to better coordinate disaster activities

-He commented that fire officials must learn to get along with police

-He favors the Emergency Management Institute, co-located in the National Fire Academy, to place emphasis on training "all purpose risk managers"

-He stated FEMA is in the coordination business which includes planning and crisis support

-His goals are to (1) make FEMA slimmer, (2) rely on support from other federal agencies and professional organizations and (3) get FEMA closer to the White House

-Stated that funding prospects are bleak

-Stated he is civil defense oriented for handling local disasters as opposed to nuclear attack. Stated that we can't successfully handle a local disaster, let alone a nuclear attack

-He sees the FEMA role as three major categories: (1) National Security, (2) Long Term Recovery, and (3) First Responder Support

-He made reference to the USFA as meeting the secular needs of the fire service

-Emphasized the need for better coordination and integration of FEMA constituent agencies/functions

-The current C-D role has been to throw money at the problem

-Said he knew nothing about the fire business

-He would look to the Joint Council and PAC for advice

-Suggested that PAC contact the new FEMA Director a month after the appointment to arrange for a meeting for further dialogue

After considerable discussion, the PAC members reached the following consensus:

-Dr. Cuppermann conveyed the feeling to the PAC members that the fire service is not capable of handling even a small disaster

-He made the PAC members feel like they were being lectured

-Although Dr. Cuppermann claimed he knew nothing about the Joint Council, it appeared he was familiar with the involvement of the USFA and the role of the Joint Council (1970 - 1980)

-PAC members feel the fire program is in jeopardy

Based on the discussions of the morning and based on comments made during the meeting as well as comments which were not made, it was the unamninous opinion of the PAC members that the Joint Council hold an emergency meeting to review and re-evaluate its position on the USFA, the NFA and the relationship within FEMA.

The committee further recommended that Joint Council Chairman Jack Lee be requested to schedule a meeting and authorized the PAC chairman to send the following mailgram to all member organizations of the council:

"Emergency Alert. Critical times ahead. Tough policy decisions and decisions are necessary regarding the organizational structure and functions of FEMA, USFA and the NFA. Be prepared to review and re-evaluate the current Joint Council position.

It is strongly recommended that a meeting take place at the IAFC office, Washington, D.C., beginning promptly at 6:00 p.m. on Tuesday evening, January 27, 1981, and continuing from 8:00 a.m. to 7:00 p.m. on Wednesday, January 28, 1981.

Urgent that you plan to attend and participate for the entire time period scheduled. Joint Council chairman, Chief Jack Lee, has been requested to authorize the meeting."

The meeting was adjourned at 12:45 p.m.

Respectfully Submitted,

Louis J. Amabili
Chairman Public Affairs Committee
Joint Council of National Fire Service
Organization

LJA:pjh

STATE OF DELAWARE
DELAWARE STATE FIRE SCHOOL
R.D. No. 2, Box 166
DOVER, DELAWARE 19901

OFFICE OF THE
DIRECTOR

TELEPHONE (302) 736-4773

TESTIMONY BY:

Louis J. Amabili, Director
Delaware State Fire School
and
Former Commissioner
of the
National Commission on Fire Prevention & Control

PREPARED FOR:

Senate Committee on Governmental Affairs

In Support of the
Continuation of the United States
Fire Administration
and the
National Fire Academy

April 21, 1982

My name is Louis J. Amabili. I am the Director of the Delaware State Fire School and have been serving in that capacity since November, 1964. The Delaware State Fire School provides fire service training to volunteer, paid, industrial and federal fire departments; and, fire safety training to agency, institutional, industrial personnel and the general public.

I am a former member of the Presidential National Commission on Fire Prevention and Control and co-author of its report "America Burning." I am the only member of the National Commission still actively involved in fire prevention and control activities at both the State and National level. I served as president of the International Society of Fire Service Instructors from 1973 to 1980. I currently serve as vice chairman of the Board of Visitors to the National Fire Academy.

I submit this testimony as Director of the Delaware State Fire School and a concerned former member of the National Commission on Fire Prevention and Control-concerned and disturbed at the flagrant disregard for the American Fire Service and the recommendations in "America Burning" which were supported by the Congress of the United States.

On May 4, 1973, the National Commission on Fire Prevention and Control released its report, the document entitled "America Burning."

The findings of that Commission as presented in "America Burning" opened the eyes of the american public to some harsh facts. The United States - our great nation which has the most advanced technology in the modern world - has the highest per capita death and property loss rate as a result of fire of all the world's major industrialized nations. The Commission report included the following recommendations:

- that Congress establish a U. S. Fire Administration to provide a national focus for the nation's fire problem and to promote a comprehensive program with adequate funding to reduce life and property loss from fire.
- the establishment of a National Fire Academy to serve as the hub of national training and education system for the nation's fire services.
- the implementation of a national fire-safety education program.
- the establishment of a national fire data center to provide a continuing review and analysis of the entire fire problem.
- The re-allocation of local resources from primarily fire suppression to fire prevention.
- the improvement of equipment and techniques to reduce firefighter death and injury.
- research in the urban fire problem.

The Commission further recommended the reinforcement of supporting programs in other agencies, including;

- An increase in burn treatment centers, units, and programs in the U. S. Department of Health, Education, and Welfare.

-An increase in the burn and smoke research programs in the National Institute of Health.

-A rural fire protection program under Title IV, Public Law 92-41 in the U. S. Department of Agriculture.

-An increase in the research and engineering-based technology program in the National Bureau of Standards.

-Loan insurance programs in the U. S. Department of Housing and Urban Development to underwrite fire detection and alarm systems and built-in fire protection.

The Commission bill to implement the many recommendations was introduced as companion legislation in both the Senate by Senator Warren G. Magnuson (D-Washington) and the House by Representative Wright Patman (D-Texas). "The Fire Prevention and Control Act of 1973" was Senate Bill 1769 and House Resolution 7681.

The structure and functions of the proposed United States Fire Administration provided for the appointment of an Administrator, a Deputy Administrator, and four Assistant Administrators. The Administrator, under the general authority of the Secretary of the Department of Housing and Urban Development, shall be the executive head of the agency with all administrative powers including the appointment and supervision of Administration personnel. The four assistant Administrators shall comprise the Assistant Administrator for the National Fire Academy, the Assistant Administrator for the National Fire Data System, the Assistant Administrator for Research and Development, and the Assistant Administrator for State and Local Program Assistance.

The bill also provided for the establishment of a National Fire Academy within the United States Fire Administration "to facilitate specialized training in areas subject to the jurisdiction of fire protection agencies; to assist State and local jurisdictions in the planning and implementation of their fire protection programs; to assist and encourage dissemination of information on fire prevention and control; and to encourage fire protection agencies to give greater attention to fire prevention measures.

Some important functions of the Academy are to:

-Provide specialized courses for fire service officers and officer candidates.

-Assist States, counties, and local communities in the development of training programs for firemen.

-Develop model programs and curricula and carry out programs of instructional assistance.

-Develop fire service extension programs to encourage and assist States, counties, and local communities to improve the quality of training --- and provide special instructors for State and local training programs.

-Promote and assist universities, community colleges, and other institutions of learning, in planning, developing, and carrying out fire administration programs.

-Accredit fire service extension programs, fire administration programs, and training programs for firemen.

-Sponsor fire-safety courses for educators.

-Gather and disseminate information relative to firefighting equipment, firefighting techniques, and other areas related to firefighting.

-Gather and disseminate information relative to arson incidents and arson investigation.

The recommended appropriations for planning, developing, and implementing the proposed United States Fire Administration programs were $5,000,000.00 for the first year, $50,000,000.00 for the second year, and $128,000,000.00 for the third year.

On October 29, 1974, President Gerald Ford signed into law the "Federal Fire Prevention and Control Act of 1974" (Public Law 93-498) which implenented most of the Commission recommendations.

In passing the Fire Prevention and Control Act of 1974, the United States Congress recognized for the first time on the Federal level that "fire is an undue burden affecting all Americans," that "such losses of life and property from fire are unacceptable to the Congress," and that "the unacceptably high rates of death, injury, and property loss from fire can be reduced if the Federal Government establishes a coordinated program to support and reinforce the fire prevention and control activities of state and local governments." Prior to the passage of the Act, there did not exist in the Federal Government any department or agency which had a clear responsibility for fire prevention and control programs. The Congress clearly intended to create a Federal fire focus and address the fire problem by lending support and assistance to state and local governments.

The legislative history also shows the fire service proponents of the Fire Prevention and Control Act insisted upon an Administrator level head for the National Fire Administration. Fire prevention and control has been a low priority in the Federal Government historically and the proponents of the legislation were intent on raising the Fire Administration's program to a high level position.

On February 17, 1978, some three years after the establishment of the United States Fire Administration, the American fire service, through Joint Council of National Fire Service Organizations, learned of a proposed reorganization plan which would meld the USFA into a super disaster oriented agency now known as the Federal Emergency Management Agency (FEMA).

The Joint Council of National Fire Service Organizations took strong opposition to the plan until such time as details of the plan and how it would affect the USFA could be determined. The Council issued the following statement concerning the reorganization proposal:

The briefing of the Joint Council of National Fire Service Organizations by the Reorganization Project team on February 23, 1978 has reaised a number of serious political, philosophical, and technical questions which need to be addressed.

The Joint Council is appalled by the fact that this Reorganization Project started in late August, 1977, yet the first contact of the Joint Council was not made until February 17, 1978 -- some eight days before the plan was to have been submitted to the President. Information presented at the briefing was merely conceptual in nature. Questions posed by Council Members regarding their primary concerns received only neutral answers.

It is important to note that only after much effort by the nation's fire service was the Fire Research and Safety Act of 1968 passed. However, Title II of this Act, which would provide the crucial first step -- the creation of a national commission to study the nation's fire probelm --was not then funded. It was this failure of the federal government to fund the first step toward solution of our nation's fire probem which prompted the fire protection community to form the Joint Council. Representing the major national fire service organizations, the Joint Council was privotal in:

-causing Title II of PL 90-259, Fire Research and Safety Act, to be funded;

-causing the National Commission on Fire Prevention and Control to be appointed;

-causing the recommendations of the National Commission (America Burning) to become PL 93-498;

-developing a cooperative working relationship between the fire service and the NFPCA; (USFA)

-fostering an atmosphere which saw a National Fire Academy site purchased during the current Administration.

The Joint Council of National Fire Service Organizations continues to be the singular voice of the nation's fire service in dealing with the federal government in areas of mutual concern to its member organizations. We speak for our nation's fire service in voicing the following specific areas of concern:

-The nation's fire problem demands a separate and identifiable agency within the federal government which will commit its total resources to assisting the existing fire protection community to serve public needs and interest on a day-to-day basis.

-The public interest can best be served only if it is recognized that fire is a continually occurring problem. Over 20 persons die every day, 150 every week, 8000 every year. Three hundred thousand are maimed and injured by fire each year.

The day-to-day aspect of this problem, its magnitude, and its effect are vastly different from the problem of intermittent disasters.

It is essential that a national focus on fire be maintained and strengthened, and it is equally essential that it not be diffused, and additionally that the focus not be subordinated to the disaster aspects of any new agency.

-There must be a National Fire Academy and related system which is the program identified as the most essential and most useful to the persons directly involved with reducing and mitigating the fire problem. These persons include two million fire personnel, thousands of building officials, architects, engineers, and hundreds of educators who teach the fire sciences. Through the Academy and its system, new and transferrable technology, results of research, and sound practices would be spread nation-wide.

The National Fire Academy System must provide: (a) an actual academy site and core headquarters; (b) substantial direct aid and assistance to state, local and college fire training and education programs, and (c) quality programs of the outreach and multiplier effect for delivery on matters of immediate concern to the fire community.

The National Fire Academy must not be subordinated to any other part of the agency programs, and if any combination with C.D. and disaster training programs is contemplated, then the fire programs should receive the highest degree of priority in keeping with the continuing magnitude of the fire problem and the large continually operating constituency of some two million fire service personnel.

-The national fire focus must deal directly with and be responsive to the state and local fire protection community. Regionalization of this fire focus will decrease its ability to deal with the daily fire protection needs in a cost-effective manner.

-There is a potential diminutation of emphasis on fire-safety and prevention in respect to the small fire incident which could occur in a major disaster-oriented agency. It must be fully recognized that it is the home that is cumulatively the most dangerous to human life and is the place where over 6,000 persons die each year. These fires are not spectacular, and often property losses are low. Nevertheless, it is the homeowner and individual family that suffers most and more often from fire and on a one-by-one basis. Private residences are at the heart of the fire problem. The priorities needed here are vastly different from those required for a potential hurricane. These priorities must be kept in proper perspective.

-That full recognition be given of the fact that in any disaster there is always an immediate involvement of the fire service, even when fire is not directly involved. The fire service of the United States has two million members, which are capable of immediate mobilization. They also constitute the primary rescue service. For these reasons, the role of the fire service must be preserved.

-The fire technology programs must be continued with concentration on solving current problems. An example of a project of vital importance and promise that has already been initiated is the development of the "protective envelope" for fire fighters.

-That the federal fire agency must not become a regulatory agency with the power to intervene in the functions of state and local government.

The Joint Council of National Fire Service Organizations cannot accept the casual assurances received thus far that this nation's federal focus on the fire problem will be better off in the proposed agency. The nation's fire service, two million Americans who see daily the tragic results of government inaction, has waited patiently while other national priorities have been given recognition and financial consideration. Comprehensive documentation is needed for us to evaluate the proposed reorganization plan in relation to areas of specific concern previously enumberated. The Council is resolved to commit all of its collective resources to assuring that the American public receives the benefits of a constructive federal focus on our nation's fire problem as originally intended by PL 93-498. We, as representatives of the nation's fire service, will oppose any lessening of this effort.

After working intensively with the Presidents Reorganization Team, the Joint Council of National Fire Service Organization on April 19, 1978 took the following position:

The Joint Council of National Fire Service Organizations offers its support to the proposed reorganization of the Fire Administration, will continue consultation with the White House team during implementation thereof, and actively encourage congressional concurrence. The foregoing support is contingent upon the acceptance and implementation of the commitments made by the White House team to the Joint Council. Deviations from these commitments during implementation of the reorganization which may be unacceptable to the members of the Joint Council will be vigorously opposed by the Joint Council.

The reorganization will be supported by the Joint Council on the further condition that the proposal presented to the Congress contain provisions for the National Fire Academy at the Marjorie Webster site in accordance with the plans presented to the Board of Visitors of the National Fire Academy on March 28-29, 1978. In the event that the proposal presented to the Congress does not provide assurance by the Administration that the Academy will be provided for as planned, the Joint Council position will become null and void.

The Reorganization Plan No. 3 of 1978, establishing a New Independent Agency, The Federal Emergency Management Agency was submitted to Congress for ratification. Excerpts from the Senate Report of Senator Muskie's Committee on Government Affairs, dated August 3, 1978, clearly indicates congressional concurrence with the Joint Council's position:

"The committee recognizes that some balance among the transferred authorities is likely because of the intitial internal structure proposed by the Administration. A look at the organizational chart for FEMA shows that the functions of the principal agencies to be transferred to the new agency - DCPA, FPA, and FDAA - are to be represented internally by associate administrators, and that the National Fire Prevention and Control Administration and the mitigation functions (flood insurance, earthquake hazard reduction, etc.) will also be comparably represented. Such an arrangement will ensure that the functions and responsibilities of the transferred agencies and programs will not be lost in the organizational shuffle."

"Concern was also expressed about the possible loss of focus and identity of the NFPCA when transferred to an agency charged with large-scale emergency planning and relief responsibilities. It is also the committee's understanding that those organized fire service associations which have endorsed the transfer have done so as a result of assurances from the White House Reorganization Task Force team and from Mr. Greg Schneiders, Director of White House Projects, that the transfer will not affect the authorities, responsibilities, functions, activities integrity focus or organizational structure of the NFPCA as provided for in Public Law 93-498."

"The Public Affairs Committee of the Joint Council of National Fire Service Organizations representing the 12 major fire related groups submitted an unsigned Memorandum of Understanding to the White House Reorganization Task Force outlining their perceptions of what had transpired in the March 27, 1978 meeting between the Public Affairs Committee and the Reorganization Task Force. Responding to this memorandum, Mr. Greg Schneiders, Director of White House Projects, in a letter to Mr. Lou Amabili, Chairman of the Public Affairs Committee, dated March 30, 1978, outlined the recommendations that the Task Force would agree to make to the Director of the Office of Management and Budget.-- Therefore, it is the committee's intention and understanding that the NFPCA will be transferred to the new agency as a separate, distinct and complete unit comprising one of the five major programs for the new agency. Additionally, the position of the Administrator of the NFPCA, as created by the Federal Fire Prevention and Control Act, will be transferred to the new agency at the level of Associate Director (Level 4) reporting directly to the Director. All of the principal program authorities under the act will be assigned to the NFPCA in the new agency."

"It is also the committee's intention and belief that the NFPCA programs to combat arson will not be affected by the transfer, but rather that the NFPCA will be in a better position to coordinate arson programs of the other agencies. The committee has been assured by OMB that it is not contemplated that the NFPCA, as a major operating unit of the new agency, will be assigned by direct responsibilities for functions not authorized in the Federal Fire Prevention and Control Act of 1974."

"Although funding for the National Fire Academy is not part of the reorganization plan, the committee is aware of the strong need for a centralized Academy, and is aware of the efforts of the national fire service organizations to obtain the necessary funding. It is the committee's hope in endorsing this plan that the administration will move forward expeditiously toward the creation of a National Fire Academy."

"The committee strongly supports the Administration's decision not to consolidate the Civil Defense Staff College with the National Fire Academy."

Responses by James McIntyre, Director, OMB, to questions asked by Senator Muskie, Chairman, Subcommittee on Intergovernmental Relations, Committee on Governmental Affairs-July 10, 1978-

"The new agency will include the civil defense program and the major hazard reduction responsibilities (fire prevention, flood, plains, earthquakes, dam safety) in addition to being a coordinative authority."

"The typical fire is small-scale, but the aggregate fire problem has been determined by Congress to warrant federal involvement in research, education, and data collection."

"The Administrator of the NFPCA will be transferred to the new agency."

"NFPCA programs to combat arson will not be affected by transfer of the Administration to the new agency. Also, NFPCA will be in a better position to coordinate arson programs of the other agencies."

"The reorganization plan assures in several ways that NFPCA will have high visibility in the new agency. The plan provides that NFPCA will be transferred to the new agency as a separate, distinct and complete unit comprising one of the five major programs of the new agency. The position of Administrator of NFPCA will be transferred to the agency at the level of Associate Director, reporting to the Director. All of the principal program authorities under the Federal Fire Prevention and Control Act will be assigned to NFPC_ in the new agency."

"Of the estimated reduction of 200 to 300 staff positions to be accomplished through attrition, few, if any, will result from consolidation of NFPCA into the new agency. This is because NFPCA is the smallest and newest of the consolidated units, and because NFPCA's programs will be maintained on a separate and distinct basis in the new agency. NFPCA is not involved in the principal areas of functional consolidation in disaster preparedness, relief, and communications at the headquarters and field levels wherein most reductions are now anticipated. Requirements for future personnel strength of NFPCA have not been determined as part of the Reorganization."

"The Reorganization Plan maintains and confirms the close working relationship between the Center for Fire Research of the National Bureau of Standards and the NFPCA. The same funding arrangements in this regard that already exist will be continued in the new agency."

"The Reorganization Plan is designed to assure that all mandates of the Federal Fire Prevention and Control Act of 1974 be continued."

"The Reorganization Plan does not contemplate any immediate changes of priorities or restructuring of budget requests for NFPCA. Confident that NFPCA's fire programs will be given relatively greater attention and focus in the new agency, than in the Department of Commerce, where fire programs have little in common with departmental priorities."

"The President's Reorganization Project was not involved in negotiations on funding of the National Fire Academy."

"The Administrator of NFPCA will report directly to the Director of the new agency."

"The Reorganization maintains all authorities, and the organizational integrity of NFPCA as provided for in the Federal Fire Prevention and Control Act, except that the position of Deputy Administrator of NFPCA will be abolished."

"The Reorganization Plan does not contemplate that NFPCA, as a major operating unit of the new agency, will be assigned any direct responsibilities for functions not authorized in the Federal Fire Prevention and Control Act of 1974."

"It is contemplated that the Director will delegate all fire prevention and control functions of the new agency to the Administrator of NFPCA. This will establish effective supervision, management, and oversight of all NFPCA activities and assure that the Director of the new agency gives full attention to the fire prevention and control programs of NFPCA. It will aoso improve the NFPCA's ability to coordinate fire programs of toher Federal agencies."

"It is contemplated that all NFPCA activities will be administered through the headquarters of the new agency. Accordingly, state and local fire officials desiring to contact NFPCA will contact the headquarters offices of the Administration which will be a separate unit in the new agency. Fire officials will not be required to work through the regional offices of the new agency for NFPCA programs."

"The NFPCA will play a strong, though indirect role in supporting national civil defense, civil preparedness efforts and in providing assistance to disaster areas and victims through its close working relationships with the fire service organizations maintained by state and local governments. Improvements in the programs of these fire service units brought about by efforts of the Fire Administration will enhance their effectiveness in dealing with any form of emergency. The Fire Administration will also play an important role by researching into methods to prevent emergencies from occurring and to mitigate their effects when they occur, training and educating emergency services personnel and by providing public information and education on how citizens can best protect their lives and property when emergencies strike."

"The Reorganization contemplates no changes in the focus now being given to the fire programs being conducted by NFPCA. The Reorganization proposal was not developed and is not being justified on the basis that present NFPCA programs and priorities are misdirected."

"NFPCA has important responsibilities under the Federal Fire Prevention and Control Act to renew and coordinate fire programs conducted by other Federal agencies. The Reorganization Plan continues these responsibilities for the NFPCA."

"The Federal Fire Prevention and Control Act provides that NFPCA shall review, evaluate and suggest improvements in state and local fire prevention codes, building codes, any relevant Federal or private codes and regulations. The Reorganization Plan contemplates no changes in these responsibilities."

"The reorganization proposal does not comtemplate or require any legislative change in existing programs or any expansion of the Federal role."

The President's Reorganization Plan No. 3 (PRP#3) was subsequently ratified by the Congress and implemented.

Nearly two and a half years later, the Joint Council and the American Fire Service was once again facing the threat of having the United States Fire Adminisration melded into FEMA and the visibility and function of the National Fire Academy redirected to place emphasis on "all purpose risk managers."

The Joint Council, at its annual meeting on December 9, 1980, reactivated the PAC Committee with the following charge: "To coordinate the activities of the Joint Council of National Fire Service Organization and to provide timely information to the Joint Council of National Fire Service Organization as it relates to the reorganization of the Federal involvement relative to the Fire Administration; etc., appointed staff and the National Fire Academy.

Also to provide to the transition team and other Federal reorganization interests, information regarding the Joint Council of National Fire Service Organization and its position concerning national fire interests in the new administration.

A meeting of the Joint Council Public Affairs Committee was convened on January 9, 1981, in Washington, D.C.

The first order of business was to review strategy prior to meeting with Dr. Robert Cuppermann of the Reagan Administration Transition Team. The Chairman advised the Committee that contact was made with Cuppermann late the day before and a meeting for 9:30 a.m. this date has been scheduled. The Chairman further reported that during the telephone conversation Dr. Cuppermann indicated he had no knowledge of the Joint Council and its activities and that he had not received the mailgram from Council Secretary Joe Redden.

The Committee agreed that Cuppermann be briefed on the Joint Council activities beginning with the Fire Research and Safety Act of 1969, the formation of the Council in 1970 and pertinent activities to date. It was further agreed that he be given a copy of the PAC report to the Joint Council dated April 19, 1978, and copies of communication between PAC and the White House Reorganization team including the Memorandum of Understanding dated March 28, 1978, a letter to Greg Schneiders dated April 7, 1978, and a letter from George Jett dated April 14, 1978.

The Committee recessed at 9:15 a.m. and reconvened with Dr. Robert Cuppermann at 1725 Eye Street, Room 1103. Discussions on FEMA, the USFA and the NFA and the philosophy of Dr. Cuppermann lasted until 10:30 a.m.

The PAC Committee reconvened at the NFPA office to review and analyze the meeting with Dr. Cuppermann. The following points were brought out during the discussion by Dr. Cuppermann:

-He stated USFA is not working cooperatively with FEMA

-He referred to the USFA several times as an appendage within FEMA

-He would create an "Office of Public Safety" within FEMA to better coordinate disaster activities

-He commented that fire officials must learn to get along with police

-He favors the Emergency Management Institute, co-located in the National Fire Academy, to place emphasis on training "all purpose risk managers"

-He stated FEMA is in the coordination business which includes planning and crisis support

-His goals are to (1) make FEMA slimmer, (2) rely on support from other Federal agencies and professional organizations and (3) get FEMA closer to the White House

-Stated that funding prospects are bleak

-Stated he is civil defense oriented for handling local disasters as opposed to nuclear attack. Stated that we can't successfully handle a local disaster, let alone a nuclear attack

-He sees the FEMA role as three major categories: (1) National Security, (2) Long Term Recovery, and (3) First Responder Support

-He made reference to the USFA as meeting the secular needs of the fire service

-Emphasized the need for better coordination and integration of FEMA constituent agencies/functions

-The current C-D role has been to throw money at the problem

-Said he knew nothing about the fire business

-He would look to the Joint Council and PAC for advice

-Suggested that PAC contact the new FEMA Director a month after the appointment to arrange for a meeting for further dialogue

After considerable discussion, the PAC members reached the following consensus:

-Dr. Cuppermann conveyed the feeling to the PAC members that the fire service is not capable of handling even a small disaster

-He made the PAC members feel like they were being lectured

-Although Dr. Cuppermann claimed he knew nothing about the Joint Council, it appeared he was familiar with the involvement of the USFA and the role of the Joint Council (1970-1980)

-PAC members feel the fire program is in jeopardy

Based on the discussions of the morning and based on comments made during the meeting as well as comments which were not made, it was the unamninous opinion of the PAC members that the Joint Council hold an emergency meeting to review and re-evaluate its position on the USFA, the NFA and the relationship within FEMA.

The Joint Council met in Washington, D.C. on January 27, 28, 1981, and, after careful review unanimously adopted the following position.

Fire prevention and control is accepted as a local responsibility. The U. S. Fire Administration (USFA) was created by Congress at the urging of the American fire service to provide a critical, coordinating, cost effective linkage among all federal, state, local and private agencies and organizations responsible for fire prevention and control. This is still, and should continue to be, the primary function of the USFA.

The fire service is the first public service agency notified of, responding to and trained to mitigate natural and manmade disasters. Because of this, the Joint Council recognizes and endorses the USFA as the primary agency in the Federal Emergency Management (FEMA) responsible for the coordination of all resources for comprehensive emergency planning, response and control.

The Joint Council of National Fire Service Organizations, duly assembled in Washington, D.C., on January 28, 1981, supports the continuation of the Federal Emergency Management Agency and the U. S. Fire Administration.

In taking this position, the Council does so with the firm resolve that the principles and objectives listed below will be maintained.

1. The Administration support FEMA, the USFA and National Fire Academy.
2. The Administration assure the continued integrity, focus and effectiveness of the fire program authorized in Public Law 93-498.
3. The USFA's authorities, responsibilities and organizational structure under Public Law 93-498 and the President's Reorganization Plan #3 of 1978 be maintained.
4. All authorities, responsibilities, programs and funding commitments of the USFA remain a distinct component within FEMA.
5. The USFA's primary responsibility be to carry out all aspects of the Fire Prevention and Control Act of 1971, and be headed by an Administrator for Fire at an Executive IV level, reporting directly to the Director of FEMA.
6. All authorities and functions of the USFA be assigned to the USFA Administrator, other than such normally centralized support functions as administrative and computer services, legal affairs, accounting, finances and payroll.
7. Funding authorizations for the USFA continue to be committed solely for its use.

8. The National Fire Academy, created by Public Law 93-498, is the most important function of the USFA, and provides the focus for professional development of fire service personnel, and others engaged in comprehensive emergency planning, response and control. The Joint Council considers it imperative that the campus at Emmitsburg, Maryland, continue to be identified as the National Fire Academy under the direction of the USFA.

9. The Administration recognize the fire service as the primary and largest operational constituency of FEMA, as well as the USFA.

10. The Joint Council of National Fire Service Organizations (JCNFSO) will continue to provide direct and timely recommendations for the selection of candidates for key positions within the USFA and the Academy. These positions include, but are not limited to, the Administrator and Deputy Administrator of the USFA, the Associate Administrators for the Office of Planning and Education and the National Fire Data Center, and the Superintendent and four Deputy Superintendents of the National Fire Academy.

    Successful achievement of the goals and objectives of the FEMA/USFA is tied to the selection of the Administrator of the USFA and key staff. These individuals and the selection process must reflect the highest standard.

11. The Joint Council offers a permanent communications link between the nation's fire service, the Administration, FEMA and USFA.

    The Council further offers that it be used as the primary advisory resource on fire service matters, as they relate to emergency management, including, but not limited to:

    (a) Program determinations and priorities;

    (b) Budget priorities;

    (c) Evaluation of programs; and

    (d) Research priorities.

Today, I appear before you once again to express our concern to the Congress on the proposed abolition of the United States Fire Administration as the national focus for fire and loss of visibility and identity of the National Fire Academy and the redirected emphasis from its intended purpose.

What I have attempted to do is provide you with comprehensive documentation to clearly show that the intent of the National Commission on Fire Prevention and Control, the American Fire Service and the Congress is to have the United States Fire Administration continue as the national focus for our fight against fire and that the National Fire Academy serve as the visible and recognized national focus for training and education in fire prevention and control.

We recognize the fact that fire is primarily a local problem which must be dealt with at the local level by local people, but we do need technical and financial assistance from the Federal government. We are not seeking to have the Federal government do our job for us. We are merely seeking to have the federal government provide us with a catalyst which will help us to be more effective in our work.

The plan of the current administration seems to be the elimination of the United States Fire Administration as an identifiable focus within the Federal Emergency Management Agency. The visibility of the National Fire Academy has essentially disappeared into the National Emergency Training Center. The national focus for the fire problem, which the National Commission on fire prevention and control considered to be a vital ingredient in the fight against fire is disappearing.

We cannot allow that to happen. We have worked hard for more than ten years to establish these agencies as the national focus to support our local and state efforts. The citizens of this nation are just beginning to reap the benefits of our efforts. These efforts must be continued. We once again seek the support of the Congress in the continued focus and funding of both the United States Fire Administration and the National Fire Academy.

Thank you for the privilege of presenting testimony.

National Volunteer Fire Council
Chairman
E. James Monihan
45 Sussex Drive
Lewes, Delaware 19958
Home (302) 645-9064
Office (302) 645-3205

TESTIMONY BEFORE

UNITED STATES SENATE GOVERNMENT AFFAIRS COMMITTEE

APRIL 21, 1982

I am E. James Monihan. I live in Lewes and I am Delaware's Delegate to the National Volunteer Fire Council and also have the privilege of serving as its Chairman. The National Volunteer Fire Council represents the some 28,000 volunteer fire departments located in every state in the union and the one and one half million fire fighters who man those departments.

In 1979 and again in 1980 the United States Fire Administration sponsored conferences to assess the needs of the volunteer fire service. These were called the Stonebridge and Stonebridge II Conferences. From these meetings came many recommendations and Stonebridge II produced several resolutions. The Fire Administration addressed many of these very directly and problems have been solved, however, many others remain and are being worked on.

For example, the volunteer service does not generally, at least across the country, have the services of fine training facilities and the support services of expert administration such as does the career service in government so we asked that public relations training and public information training be provided to the volunteer service.

We also ask that the Fire Administration serve as an information transfer point to provide us information both on their developments and also the state of the art as it were.

We ask them to focus on prevention of a phenomenon called "burn out". This is particularly significant in the Emergency Medical Services and since the fire service of the United States, both paid and volunteer, provide approximately 80% of the pre-hospital emergency care in this country, this is significant.

In addition to this, we asked them to research and disseminate information on recruitment and retention of volunteers which goes pretty much hand in hand with the "burn out".

We asked them to promote awareness of arson through all media forms and also to help the states and local governments in adoption of model arson laws and the training of prosecutors which has been addressed earlier.

They were asked to help us with financial management, giving us the tools as it were, to do our job better within our organization and I am happy to say that a Financial Management Manual is near completion under sponsorship of the Administration by this Council.

We also asked them to assist us with hazardous material incidents both in making us more efficient and more able to cope with them and also to use their position as a government agency to encourage other agencies to be vigorous in their enforcement of the prevention of these happenings.

All of these and the other beneficial activities of the Administration are in grave danger since the 1983 Fiscal Year Budget eliminates funding for the United States Fire Administration. Fire protection is perceived as a solely local problem, additionally the assumption is made that the goal of the Administration has been achieved and I quote the budget message "due to the significant decrease in the loss of life and property due to fire and the increased efforts of the private sector". We have no doubt that this has some ring of fact and we along with the career fire fighters of this country are dealing with the problem at the local level and on behalf of local governments. However, there is an entire part of the fire problem which does require national help, since it needs a national focus and that is research and public awareness approaches toward the solution of the fire problem. We the volunteer fire fighters of the United States deal with the day to day fire problems in our communities, however, even if the states and localities had the resources to conduct research, it would be extremely costly and duplicative due to the fact that states would be doing the same research without any coordination and for this reason, we feel there is definitely a place for the United States Fire Administration and the National Fire Research Center.

The Administration has work well underway, which Lou has outlined earlier, in the area of home sprinklers and in fire fighter health and safety with "Project FIRES", however, they are also approaching fire fighter health and safety from the prevention of heart attacks and conditions of that nature. If fire fighting has to be the most dangerous or one of the most dangerous occupations in the world, we feel that our fire fighters at least deserve what protection that science can give.

The data collection that the other gentleman referred to is helping national, state, county and local governments make intelligent management decisions and also intelligent research and development decisions, a tool they never had before in the fire area at least.

The continued attack on arson, research in juvenile fire setters and also in the detection of arson is most valuable, as is the development of Fire Master Planning which allows a community to look at fire as a total problem, not as a series of isolated incidents.

The Federal Emergency Management Agency has a pamphlet which proclaims on the front "One half of the country is now using smoke detectors". This is an achievement directly attributable to the campaign of the United States Fire Administration and it is not likely that this could have been accomplished particularly in the short time that it was without the national leadership of this agency.

The agency has performed in a most commendable manner the establishment of the National Fire Academy whose programs are of the highest caliber and command the respect of the fire service throughout the world, not just the United States.

The nationwide public fire education network helps fire educators at the local level do their job better and the Administration is currently developing a program which is aimed to the volunteer fire service community that can be utilized at the department level of the small communities and rural areas of this country.

They also provide a vital national focus on fire protection as recommended in the Commission's report "America Burning" which Lou referred to earlier.

These are only a few of the valuable and appropriate programs that have been conducted since the founding of the United States Fire Administration which will be lost as the national focus on the fire problem disappears from the scene.

The assertion that the Fire Administration has achieved its goal is simply not so, since the figures on which the original statistics for fire deaths in the early 70's were based are incorrect. Ignoring the statistics, we feel that the present level of injury, loss of life and financial hardship are unacceptable in the world's most industrialized and advanced nation and the departure of the United States Fire Administration will leave a large gap in our efforts and only cause the problem to worsen. We feel that rather than the program being eliminated, the goal needs to be revised and reestablished.

In short, the National Volunteer Fire Council subscribes to the March 1, 1982 resolution of the Joint Council of the National Fire Service Organizations, of which we are a member, and I quote the resolution:

> "That the Joint Council strongly support the continued funding of the United States Fire Administration in fiscal year 1983 at a minimum level of 8.5 million dollars. Further that all member organizations of the Joint Council mount an immediate campaign to convey this strong support to the fire service, the Congress, the officials of the Federal Emergency Management Agency and the Administration".

Some have said that the national focus can be provided by the Fire Academy. The Fire Academy is a training facility in addition to that you heard earlier Lou mention the fact that the Fire Academy's image has been diminished through the administrative structure of the National Emergency Training Center and at the same time, the Joint Council passed a concurrent Resolution which addressed this matter, so if we are going to have a national focus, we don't see that it can be the Academy.

On behalf of the one and one half million fire fighters, we solicit the assistance of this Committee, your colleagues in the full Senate and in the House of Representatives in restoring the funding, full staffing and clear identity of the United States Fire Administration. The Fire Administration is the Fire Administration, granted it is a part of the Federal Emergency Management Agency but it is a Fire Administration. I quoted earlier the pamphlet on smoke detectors. That was not the Federal Emergency Management Agency, that was the Fire Administration.

Members of the Committee, I thank you for your patience and I will attempt to answer any questions you may have.

PREPARED STATEMENT OF HAROLD A. SCHAITBERGER

My name is Harold A. Schaitberger, and I am Legislative Director for the International Association of Fire Fighters (IAFF), AFL-CIO-CLC, which represents approximately 175,000 professional fire fighters throughout the country. I would like to extend my appreciation today, for the opportunity to present the views of our International Union to the Senate Commmittee on Governmental Affairs.

The IAFF has taken a strong and active interest in the creation and development of the U.S. Fire Administration and its various programs. In 1969, when the Federal government first turned its attention to our serious national fire problem and appointed a National Commission on Fire Prevention and Control, then-IAFF President Howard McClennan was privileged to serve as its Vice-Chairman.

The Commission's findings at that time led to one conclusion, "that we needed Federal leadership and assistance to keep fire prevention and control abreast of modern demands on the fire services, if the magnitude of losses to fire of life and property experienced in the United States were to be reduced." In 1974, the Congress responded to the Commission's finding and the crying national need by enacting the National Fire Prevention and Control Act, which envisioned a comprehensive Federal program, administered through the U.S. Fire Administration, working in cooperation with and in support of state and local fire programs.

As part of a general government re-organization, in 1978 the U.S. Fire Administration was taken from under the jurisdiction of the Department of Commerce and incorporated into the newly-created Federal Emergency Management Agency (FEMA). The IAFF actively supported that re-organization, since it allowed for improved response to all types of emergencies, including fire, through comprehensive planning and the coordination of all available emergency response resources.

We are extremely disturbed to see that FEMA, which we helped to create, is now recommending the elimination of the U.S. Fire Administration, a key component of that Agency. We are pleased to see that the Administration suggests that many of the fire problems that had been addressed in the Commission's report, America Burning, have been somewhat improved over the years, and certainly with the assistance of the USFA. We think it quite facetious, though, to suggest that the American fire problem has been corrected to the point to justify the elimination of the USFA and the essential Federal fire program it represents.

We would like, now, to address the remainder of our comments to the U.S. Fire Administration, itself and to its various programs. With the U.S. continuing to experience one of the highest rates of fire death and property losses (with the resulting loss of jobs, productivity, etc.) among industrialized nations, the need for Federal focus and assistance remains strong. We are in support of the USFA's original request for fiscal year 1983 re-authorizations, but we must stress that it is the absolute minimum essential funding level if the Federal fire program is to reduce the losses in life and property to fire experienced in the United States.

The U.S. Fire Administration has had three main program directions: education and training; a national fire data center; and research and development in fire sciences and engineering. We would like to make several specific recommendations touching on each of these program areas.

In the area of education and training, significant strides have been made since the opening of the National Fire Academy. The establishment of a National Fire Academy had long been one of the major goals of the IAFF. The Academy, with resident capacity of 300-500 students and space to accomodate conferences of up to 1,000 people, serves as a focal point for upgrading fire fighting capacities through the country. Selected individuals representing fire fighters, fire chiefs and marshalls, code enforcement organizations, architects, arson detection units, and other fire-related professionals have been and will be trained in the most advanced techniques of fire prevention and control. These experts will then share this information, passing their knowledge on to colleagues throughout the country.

The IAFF is gratified to see the continued progress of the National Fire Academy in meeting its goals, through its completion of an integrated curriculum built around two primary program areas -- Fire Protection Management and Fire Service Technology -- and through an expansion and refinement of the "train-the-trainer" concept, by requiring educational methodology courses.

The National Fire Academy is the only program of its kind, offering comprehensive training to all fire-related personnel. Only through such a program can we hope to make the major strides in the education and training of fire-related personnel needed to significantly reduce fire deaths, injuries and property losses in the United States. We hope that the Committee will continue to support this program and provide sufficient funds for its continued progress.

One program within the area of education and training which is specifically geared toward the working fire fighter and in which the IAFF takes a particular interest is the Open Learning Fire Service Program. This program is a higher education project which provides access to a college education to all fire service personnel in this country. The project is run in conjunction with selected colleges and universities, offering a quality education to students and awarding credits and college degrees from accredited institutions in fire administration and fire prevention technology.

Since its inception in 1977, the Open Learning program, which falls within the National Fire Academy, has been highly successful in attaining its stated goals, and has done so in a most cost-efficient manner. We would like to point out that students registering for the program do not receive any Federal subsidies for their education, but are highly motivated and pay their own way.

All Open Learning proposals have consistently been approved by officials of the National Fire Academy and the USFA, and through this cooperation we have witnessed the flowering of the program, with eight courses being offered to over 900 registrants by nine accredited colleges and universities throughout the country. The Open Learning program calls for the development of twelve three credit hour courses in the areas of Fire Prevention Technology and Fire Administration. The original and all subsequent grant proposals have called for the development of at least two courses per year, so that registered students would not experience a delay in their progress.

Continued support for this USFA National Fire Academy program is absolutely essential so that the minimum number of courses, twelve, which have been promised to the university can be made. Without the minimum twelve, all students who have started the program will be left out in the lurch; and institutions that have begun introducing the new curriculum will be forced to reverse and stop their efforts.

In order to attain these goals, an estimated $450,000 will be needed in fiscal year 1983. We would strongly suggest that the Committee address this program specifically in any of its deliberations, and we would hope that you would see fit to specifically provide these requested funds in any recommendation for re-authorization and funding of the U. S. Fire Administration.

In our view, research and development is one of the most important programmatic areas within the U.S. Fire Administration. As you are aware, fire fighting is the country's most hazardous occupation, with the highest line-of-duty death, injury and illness rates. The Firefighters' Integrated Response Equipment System Project (Project FIRES), initiated in cooperation with NASA, is an example of the progress that has been made in this area of research. This project was designed to develop improved and lighter-weight personal protective clothing and equipment for the fire service, a massive program that has thus far been successful. Nevertheless, we must stress the absolute necessity of funding not only for the continuation, but also for the expansion, of fire fighter occupational safety and health programs and the development and evaluation of personal protective clothing and equipment. if the unacceptable death, injury, and illness rates among fire fighters are to be reduced.

We have several recommendations to make in this area. The first and most important is that there is a need to create a Fire Fighter Health and Safety Center within the U.S. Fire Administration. No such center or department was created by the Federal Fire Prevention and Control Act of 1974, hence the current budgetary needs for current projects is taken from other programs within USFA. The current safety and health staff of USFA consists of one permanent employee who directs the USFA's entire program on fire fighters' health, safety and technology. Actual projects are then programmed out to outside contractors. This procedure should be changed to build competence and experience in-house. In addition, the experienced personnel in other agencies such as the National Institute for Occupational Safety and Health, should be borrowed upon and utilized so as not to cause any duplication of effort within the Federal bureaucracy.

The work of Project FIRES must be continued and expanded. While the project has developed and is currently testing model protective clothing in the field, research efforts toward developing a model breathing apparatus should be advanced, directing efforts toward the development of lighter, longer-lasting apparatus and improving audio-visual capabilities and fit of face masks. Especially important is the continuation of the joint USFA-Bureau of Mines project to develop and test close-circuit breathing apparatus. Further, research and development of specialized protective clothing to deal with exposure to toxic substances and chemicals is needed.

Other fire fighter occupational health and safety research priorities are: development of a standardized medical protocol for the treatment of injured fire fighters, so that all fire fighters might receive the highest quality medical care possible, when they are injured; and research and development of improved equipment, such as ladders and ropes, so that problems and tragedies resulting from breaking ladders and ropes can be eliminated. Further, little has been done in terms of researching the impacts, dangers and possible protection of fire fighters from burning plastics, exposure to carcinogens and other toxic substances. Research efforts in this direction are absolutely necessary.

While we have emphasized only some of the programs within the U.S. Fire Administration in our statement today, we are not suggesting a lack of support for the continuation of its various other fire prevention and control efforts. As we have stated, we are in overall support of the U.S. Fire Administration's fiscal year 1983 request so that these programs can be maintained. We would hope that the Committee, and its distinguished Chairman, would support the continuation of the U.S. Fire Administration and help to prevent its elimination in this ongoing budget process.

TESTIMONY BEFORE THE

SENATE GOVERNMENT AFFAIRS COMMITTEE

ON

REORGANIZATION OF THE U.S. FIRE ADMINISTRATION

BY

CHIEF E. STANLEY HAWKINS
TULSA, OKLAHOMA

PRESIDENT

INTERNATIONAL ASSOCIATION OF FIRE CHIEFS
WASHINGTON, D.C.

Mr. Chairman, my name is E. Stanley Hawkins, Fire Chief of Tulsa, Oklahoma and President of the International Association of Fire Chiefs (IAFC). I appear before you today representing the nation's fire chiefs, both career and volunteer, who are responsible for directing local governments' fire prevention and control activities, emergency medical services, and emergency response to natural and man-made hazards.

Organized in 1873, the International Association of Fire Chiefs has long recognized that the fire problem can overwhelm the capabilities of local fire departments. The history of tragic fires and disasters has convinced our members that a collective and cooperative effort on the part of local, state and federal governments is necessary to combat the fire problem as well as other disasters.

Mr. Chairman, the nation's fire chiefs, the entire fire service community and the U.S. Congress have worked for many years to create and maintain a federal focus on the nation's fire problem. Yet, today we are faced with the elimination of the fire administration.

The President's fiscal 1983 budget message addressed the U.S. Fire Administration. It stated:

> "The goal of this program has been to reduce by 50% the nation's loss of life from unwanted fire and to achieve significant reductions in property and non-fatal human injury due to fire by the year 2000. This program has improved the cost-effectiveness of the various fire protection services. Due to the significant decrease in loss

> of life and property due to fire and the increased efforts of the private sector, this program will be discontinued in 1983. However, the efforts of the National Fire Academy will continue to provide training to state and local fire officers and officials."

I do not believe that a significant decrease in life and property losses has, in fact, occurred. Indeed, the significant indirect losses associated with fire will continue to have a negative impact on our nation's economic recovery by putting individuals out of work and reducing the tax base.

And, I do not believe that the private sector will pick up the important programatic, research and development, and data collection activities conducted by the U.S. Fire Administration.

The following summary of the 1980 National Fire Experience Survey conducted by the National Fire Protection Association (NFPA) and supported by the U.S. Fire Administration paints a grim picture of the national fire problem.

* 6,505 civilians were killed as a result of fires in the United States.
* 30,200 civilians were injured as a result of fire in the United States.
* 770 civilians died as a result of incendiary fires.
* 134 fire fighters were killed in the line of duty.
* Fires across the United States accounted for an estimated $6,254,000,000 in property loss.

- Property loss in residential fires alone accounted for an estimated $3,042,000,000 damage.
- Indirect losses from fire accounted for an estimated $15,000,000,000.
- Fire departments across the United States attended 2,988,000 fires.

I believe that the nation's fire problem continues to be serious and deserves federal involvement. I believe the following points are appropriate for a federal fire focus:

- The nation's fire problem demands a separate and identifiable agency within the federal fovernment which will commit its total resources to assisting the existing fire protection community to serve the public needs and interest on a day-to-day basis.
- The public interest can be served best only if fire is recognized as a continually occurring problem. The day-to-day aspect of this problem, its magnitude and its effects are vastly different from the problem of intermittent disasters.

  It is essential that a national focus on fire not only be maintained and strengthened, but that it not be diffused or subordinated to the disaster aspects of any new agency.
- The National Fire Academy must not be subordinated to any other part of the agency's programs. The fire programs should receive the highest degree of priority, in keeping with the continuing magnitude of the fire

problem and the large continually operating constituency of approximately two million fire service personnel. These persons include fire personnel, thousands of building officials, architects, engineers and hundreds of educators who teach the fire sciences. Through the academy and its system, new and transferrable technology, results of research and sound practices would be spread nationwide.

- The fire technology programs must be continued with concentration on solving current problems. An example of a project of vital importance and promise that has already been initiated is the development of the "protective envelope" for fire fighters.
- The national fire focus must deal directly with, and be responsive to, the state and local fire protection community. Regionalization of this fire focus will decrease its ability to deal with the daily fire protection needs in a cost-effective manner.
- There is a potential decrease of emphasis on fire safety and prevention with respect to the small fire incident which could occur in a major disaster-oriented agency. It must be recognized fully that it is the home that is cumulatively the most dangerous to human life. Residential fires claim more than 6,000 persons annually. These fires are not spectacular and often property losses are low. Nevertheless, it is the homeowner and individual family that suffers most and more often from fire. Private residences are at the heart of the fire problem. The priorities needed here are vastly different from those required for

a potential hurricane. These priorities must be kept in proper perspective.

- Full recognition should be given to the fact that in any disaster there is always an immediate involvement of the fire service, even when fire is not involved directly. The fire service of the United States has two million members which are capable of immediate mobilization. They also consitute the nation's primary rescue service. For these reasons, the role of the fire service must be preserved.

Since the creation of the U.S. Fire Administration, the IAFC has enjoyed the opportunity to work closely with the fire administration and the national fire academy. This relationship has been one of mutual support for the benefit of the fire service. We believe it is essential that dialogue be maintained between the fire service and the U.S. Fire Administration and FEMA.

The members of the IAFC, therefore, believe that the U.S. Fire Administration and the National Fire Academy should remain a major and distinct element within the Federal Emergency Management Agency. We feel that a strong organizational relationship is necessary between the Federal Emergency Management Agency and the U.S. Fire Administration to mitigate the fire problem effectively. We feel that the U.S. Fire Administration should be funded to assist and supplement local efforts for fire prevention and control. The U.S. Fire Administration must assist the fire service by providing technical and financial assistance to help us do our job more effectively, but not act as a supervisory or controlling federal agency intruding into the affairs of local government.

The U.S. Fire Administration has developed many programs that are of assistance to fire departments. A few of these programs are:

National Fire Incident Reporting System (NFIRS)
Fire Department Manning Study
Municipal Fire Insurance
Major Fire Investigations
Fire in the United States Data
In-depth Fire Investigations
Residential Sprinklers
Smoke Detectors - Technology Evaluation
Code Administration and Enforcement Program
Fire Fighter Safety and Health
Automatic Remote Residential Alarm Systems (ARRAS)
Federal and Industrial Applications
Interagency Coordination
National Bureau of Standards
Arson Prevention and Control
Public Education Assistance
Emergency Medical Services
Smoke Detector
Emergency Responder
Fire and Emergency Service Master Planning
Operation Dixieland
Hazardous Materials

The IAFC has been engaged for many years in activities to define clearly the legitimate federal role in local fire protection and disaster response. During the 1960s, the members of the IAFC adopted resolutions approving civil defense plans for the fire service; supported creation of a division of fire technology in the Commerce Department and federal fire spokesman; supported federal funds for fire research and staff and command schools; and, supported civil defense proposals for national nuclear fire leadership training.

In the area of federal legislation, the IAFC was active in the passage of the Fire Research and Safety Act of 1968 which established the National Commission on Fire Prevention and Control; supported passage of the Federal Fire Protection and Control Act of 1974; participated in the selection of the National Fire Academy site in Emmitsburg, Maryland; supported the transfer of the United States Fire Administration to the Federal Emergency Management Agency; and continuously engaged in efforts to secure adequate funding for the United States Fire Administration.

From this perspective of involvement with federal programs, the membership of the IAFC is convinced that the United States Fire Administration and the National Fire Academy have made significant progress in addressing the national fire problem. The IAFC supports the existing U.S. Fire Administration programs and any effort to reduce these programs is unacceptable to the members of the IAFC.

In 1978, our former president, Chief John L. Swindle, appeared before this committee to support President Carter's Reorganization Plan No.3. At that time, and I might add, after long and deliberate negotiations within the fire service and with Carter administration staff members, the members of the International Association of Fire Chiefs supported the reorganization effort because we felt it would benefit the fire service. This conclusion was based on the following reasons:

1. To provide a separate and identifiable federal agency which would commit its total resources to assist state and local fire protection efforts in dealing with the nation's fire problem.
2. To assure that the national focus on fire would be strengthened and NOT diffused or subordinated to disaster-related activities.
3. To assure that the agency would be responsive to, and deal directly with, the state and local fire protection community.
4. To establish a National Fire Academy and related system to provide direct assistance to state, local and college fire training and educational programs; and, a quality outreach program to the fire community.
5. To assure that the agency would maintain emphasis on fire safety and prevention.
6. To assure that fire research and technology would concentrate on current fire problems.
7. To assure that the agency would NOT have regulatory capabilities with the power to intervene in the affairs of state and local government.
8. To assure that the agency would preserve the role of the fire service and would continue the dialogue with the fire service in matters of mutual concern.

Mr. Chairman, in working with the President's Reorganization Project Team, we were ASSURED that the transition of the fire program to the new agency would in no way inhibit the integrity, focus, mission and effectiveness, or the authorities and responsibilities of the fire administration as identified in Public Law 93-498. I believe that your committee expressed similar concerns and received the same assurance. With this in mind, the International Association of Fire Chiefs fully endorsed and supported the proposed reorganization plan.

In early 1981, Chief Jack Lee, then chairman of the Joint Council of National Fire Service Organizations (JCNFSO), developed a position paper regarding the relationship between the fire service community and the Federal Emergency Management Agency. I believe that several points are worth mentioning again:

> "Fire prevention and control is accepted as a local responsibility. The U.S. Fire Administration (USFA) was created by Congress at the urging of the American fire service to provide a critical, coordinating, cost effective linkage among all federal, state, local and private agencies and organizations responsible for fire prevention and control. This is still, and should continue to be, the primary function of the USFA."

Typically, the fire service is the first public agency trained to respond and mitigate natural and man-made disasters. Because of this, the Joint Council of National Fire Service Organizations recognized and endorsed the USFA as the primary agency in the Federal Emergency Management Agency (FEMA) responsible for the coordination of all federal resources for comprehensive emergency planning, response and control.

In taking this position, the Council did so with the firm resolve that the principles and objectives listed below would be maintained.

1. The Carter Administration would support FEMA, the USFA and the National Fire Academy.
2. The Administration would assure the continued integrity, focus and effectiveness of the fire program authorized in Public Law 93-498.
3. The Administration would maintain The USFA's authorities, responsibilities and organizational structure pursuant to Public Law 93-498 and the President's Reorganization Plan No.3 of 1978.
4. All authorities, responsibilities, programs and funding commitments of the USFA remain a distinct component within FEMA.
5. The USFA's primary responsibility be to carry out all aspects of the Fire Prevention and Control Act of 1974 and that it be directed by an Administrator for Fire at an Executive IV level, reporting directly to the Director of FEMA.
6. All authorities and functions of the USFA be assigned to the USFA Administrator, other than such normally centralized support functions as administrative and computer services, legal affairs, accounting, finances and payroll.
7. Funding authorizations for the USFA continue to be committed solely for its use.
8. The continuation of the National Fire Academy's focus on professional development for fire service personnel and others engaged in comprehensive emergency planning pursuant

> to Public Law 93-498. The Joint Council considered the National Fire Academy an essential component of the U.S. Fire Administration's mission. Further, the Council considered it imperative that the campus at Emmitsburg, Maryland, continue to be identified as the National Fire Academy under the direction of the fire administration.

Recently, comprehensive emergency management and emergency first responder have become part of the vocabulary of emergency organizations and FEMA. But the reality of comprehensive emergency management and emergency first responders are not new to the fire service. The nation's fire service historically has been the first to respond to emergency situations threatening life or property, including technological or natural disasters, and the consequences of terrorism. Therefore, the nation's fire service, serving as an emergency first responder, is the primary operational constituency of the Federal Emergency Management Agency, as well as the U.S. Fire Administration.

With the President's interest in civil defense and crisis relocation planning, I believe that it is in the best interest of the nation to have a well-organized and operationally efficient fire service. The nation's fire departments have the organization, training, personnel, equipment and communications systems to respond to large-scale disasters. When an emergency incident occurs, large or small, the fire service is called upon to handle the emergency response.

It seems, therefore, somewhat inconsistent for the administration to call for increased efforts in civil defense, and, at the same time, call for the elimination of the fire administration. Clearly, the fire service and the U.S. Fire Administration have a significant role to play in the response and recovery from a natural or nuclear disaster.

With our involvement over the years in the establishment of the U.S. Fire Administration under Public Law 93-498 and the creation of the Federal Emergency Management Agency under PRP No.3 of 1978, two points are clear:

- The intent of the U.S. Congress was to have a U.S. Fire Administration and National Fire Academy with their own identity and mission.
- The nation's fire service, approximately 1.5-2 million persons, supported the establishment and maintenance of the U.S. Fire Administration and the National Fire Academy.

Now it appears that individuals in the current administration who have little or no experience in fire protection and emergency services have decided to use the budget as a tool, and the fiscal crisis as an excuse, to override the clear intent of Congress and a very large fire service community.

On May 4, 1973, the National Commission on Fire Prevention and Control released its report America Burning. This report was based on approximately two years of effort by fire service professionals, college professors, the media and members of Congress. I believe that the findings are still valid and the recommendations sound. This important work should NOT be overlooked during the debate to restore funding for the U.S. Fire Administration. Certainly, the fire problem is as severe now, if not worse, than at the time of this publication.

Mr. Chairman, the members of the International Association of Fire Chiefs urge your committee to seek restoration of funding for the U.S. Fire Administration and to assure adequate funding for the National Fire Academy.

Thank you.

Chairman ROTH. The hearing is now adjourned.

[Whereupon, at 12:10 p.m., the committee adjourned subject to the call of the Chair.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, D.C., May 19, 1982.

Hon. DAVID A. STOCKMAN,
Director, Office of Management and Budget, Executive Office Building, Washington, D.C.

DEAR DAVE: As you know, in the proposed fiscal year 1983 budget, President Reagan recommended that no funding be provided to the United States Fire Administration. On April 21st, the Committee on Governmental Affairs held a hearing on this proposal. Testimony was presented by General Louis O. Giuffrida on behalf of the Federal Emergency Management Agency, and by a panel of five representatives of various fire service organizations.

I am concerned with two aspects of this plan to eliminate the Fire Administration. First, eliminating the Fire Administration is indeed a reorganization of government, and I feel strongly that any restructuring of the government must be accomplished through the legislative process. As Chairman of the Committee responsible for all government reorganization, I feel that eliminating a government entity through a budgetary measure usurps the Congressional prerogative to approve all Executive decisions. Congress is both legally and historically the appropriate forum for consideration of any reorganization of an executive agency. Congressional committees can ensure that any decisions that would alter the structure of the government are based on a complete and objective assessment of the programs involved and the most efficient and effective means of administering the functions in question. It would be impossible for adequate time to be dedicated to reorganization plans if they were to be considered as a part of deliberations on the entire federal budget.

My second concern is the nature of the reorganization of the Fire Administration. As you know, I too feel strongly that the cost of government must be reduced. But, it appears that in the long run there may be little if any savings from this particular action. The "reorganization" may in actuality be a reshuffling of some of the costs from the federal to the state and local levels, and from one executive agency to another at a far greater total expense to the taxpayer. Some programs that are critical to the needs of our nation's fire service may be totally eliminated due to a lack of funding. Most importantly, it appears that it would be difficult for the Fire Academy to serve as the federal focal point for the fire service community as FEMA officials contend. Instead of continuing the effort to consolidate all of the fire related programs, fragmentation of these programs seems to be growing.

As you also know, the overall FEMA budget is being increased by over $100 million. Most of this additional funding will be focused toward the civil defense programs. And, our civil defense could never be nearly as strong or effective without the contribution of the fire service.

As Director of the Office of Management and Budget, I hope that you will seriously reevaluate this proposal to eliminate the Fire Administration.

Sincerely,

WILLIAM V. ROTH, Jr., *Chairman.*

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANGEMENT AND BUDGET,
Washington, D.C., June 26, 1982.

Hon. WILLIAM V. ROTH, Jr.,
Chairman, Committee on Governmental Affairs, U.S. Senate, Washington, D.C.

DEAR BILL: This responds to your letter of May 19, 1982, concerning President Reagan's fiscal year 1983 budget recommendation for programs of the United States

Fire Administration (USFA). In essence, the President's budget calls for continued funding for fire training and education programs but would discontinue funding for research, data collection, and other programs now carried out by USFA. All of these programs are authorized under the Federal Fire Prevention and Control Act, the provisions of which are not being recommended for alteration at this time.

We do not believe that the President's recommendation to eliminate funding for fire programs of the USFA constitutes a reorganization for purposes of Congressional review and approval. All authorities and responsibilities in the Federal Fire Prevention and Control Act vested either in the Secretary of Commerce, the Administrator, USFA, or the Superintendent, National Fire Academy, were transferred by law to the Director, Federal Emergency Management Agency (FEMA), by Reorganization Plan No. 3 of 1978 and Executive Order 12127 of April 1, 1979. The substance of the budget proposal now before the Congress is to consolidate, under the Director's authority, FEMA's fire programs within the National Fire Academy. Training and education programs, including those for arson, and other activities relating to FEMA's role as a focal point for Federal fire prevention programs can be most efficiently and effectively carried out within the National Fire Academy. We are proposing no permanent legislation to terminate the USFA or to revoke statutory authorities under the Federal Fire Prevention and Control Act. The recommendation is that certain programs assigned by the Director to USFA be unfunded commencing October 1, 1982.

As to you concern for cutting funding levels for fire prevention programs, we believe that savings can be gained in Federal expenditures, without significant effect upon overall national support of State and local efforts to reduce fire losses. We are maintaining funds committed to fire training programs at the National Fire Academy because those efforts are proving most effective in assisting State and local fire fighting personnel. We are continuing an active fire research program at the Center for Fire Research, National Bureau of Standards, Department of Commerce. As to the programs of USFA recommended to be discontinued, we believe these efforts can be undertaken efficiently by State and local governments and the private sector, and at overall cost reductions.

I want to assure you that the Administration remains fully committed to conducting effective fire prevention programs which clearly are of particular benefit to the Nation's public and private fire service organizations. However, it is imperative that cost reductions in Federal outlays be achieved wherever possible, particularly in circumstances where State and local governments and the private sector can reasonably be expected to undertake required efforts essential for protection of public health and safety.

Sincerely,

DAVID A. STOCKMAN, *Director.*

NATIONAL FIRE PROTECTION ASSOCIATION,
April 20, 1982.

Hon. WILLIAM V. ROTH, Jr.,
Chairman, Governmental Affairs Committee, U.S. Senate, Dirksen Senate Office Building, Washington, D.C.

DEAR CHAIRMAN ROTH: The National Fire Protection Association (NFPA) would like to have made a part of the record the Association's supportive position regarding the United States Fire Administration (USFA) at your upcoming hearing on the reorganization of the USFA.

NFPA, since its inception before the turn of the Century, has been looked upon as the Nation's public advocate for fire safety. In this role, the Association was an active participant in the National Commission on Fire Prevention and Control, America Burning the report of which lead to the establishment of what is today the United States Fire Administration.

NFPA has followed closely the activities of this Federal agency and has, from time-to-time, provided constructive testimony at authorization and appropriation hearings regarding the accomplishments of the USFA. The USFA has evolved into an important asset assisting State and local government and the private sector in resolving the Nation's fire problems. The NFPA is deeply concerned over the Administration's proposed zero funding for this agency in fiscal year 1983 and strongly endorses the continuation of the United States Fire Administration.

We greatly appreciate and support your continued interests in matters relating to our Nation's fire safety posture and strongly recommend you take whatever steps are necessary for the continuation of the United States Fire Administration.

Sincerely,

ROBERT W. GRANT, *President.*

○